

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

John Doe, *minor child, by and through*)
his Guardian, Jane Doe,)
Plaintiff,) C/A No.: 8:13-cv-01772-GRA
v.)
Nikki Haley, *et al.*,)
Defendants.)

ORDER
(Written Opinion)

This matter comes before this Court on Plaintiff's Consent Motion for Leave to File Unredacted Document Under Seal and to Maintain Confidentiality of Settlement Amount. ECF No. 217.

Plaintiff seeks “leave to file under seal the unredacted form of Jane Doe’s Petition to Approve a Minor Settlement” and “to maintain the confidentiality of the dollar figures redacted” from the Petition. *Id.* Currently, Plaintiff has filed a redacted Petition, which does not include “the specific dollar amount of the settlement and other dollar figures . . . from which the settlement amount could be calculated. *Id.* Plaintiff argues that maintaining the confidentiality of the settlement amount would protect “an emotionally vulnerable minor who has been through the traumatic experiences that are the subject of this litigation,” from the possibility of “opportunistic relatives and members in the community.” *Id.* While the “public has a strong interest in access to court documents,” *Martin v. Am. Honda Motor Co.*, 940 F. Supp. 2d 277, 278 (D.S.C. 2013), the Local Rules preserve “the ability of the presiding judge to seal a settlement” if “a particularly vulnerable party needs to be shielded from the glare of

an otherwise newsworthy settlement." Joseph F. Anderson Jr., *Hidden from the Public by Order of the Court: The Case Against Government-Enforced Secrecy*, 55 S.C. L. Rev. 711, 723 (2004).

In this case, Plaintiff is a foster child living with extended family in a very small community following a traumatic and particularly sensitive event. ECF No. 217. The Eighth Judicial Circuit Family Court has ordered that Plaintiff should not be returned to his biological parents due to "an unreasonable risk of harm." ECF No. 175-1. All Defendants involved in this settlement agreement have consented to this Motion. ECF No. 217. Additionally, this Court previously allowed Plaintiff to file a Petition to Approve Minor Settlement under seal and maintain the redacted version in the public record based upon these same special circumstances. ECF No. 179. Accordingly, based on the particularly vulnerable Plaintiff involved in this action and the lack of any serious harm to the public interest in access to court documents, this Court finds it appropriate to allow Plaintiff to file the Petition under seal and maintain the redacted version in the public record.

IT IS THEREFORE ORDERED that Plaintiff's Consent Motion for Leave to File Unredacted Document Under Seal and to Maintain Confidentiality of Settlement Amount is GRANTED.

IT IS SO ORDERED.



G. Ross Anderson, Jr.
Senior United States District Judge

April 4, 2014
Anderson, South Carolina