

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

COMMODITY FUTURES TRADING)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
DENNIS R. BOLZE and CENTURION)
ASSET MANAGEMENT, INC.,)
)
Defendants,)
)
and)
)
ADVANCED TRADING SERVICES, INC.,)
)
Relief Defendant.)

No.: 3:09-CV-88
(VARLAN/SHIRLEY)

ORDER

This civil case is before the Court on Plaintiff’s *Ex Parte* Motion to Temporarily Seal Entire File, in which Plaintiff, an independent federal regulatory agency that is charged with responsibility for administering and enforcing the provisions of 7 U.S.C. §§ 1 *et seq.*, requests the Court enter an order to temporarily seal the entire docket and file in this matter. Plaintiff request that the entire docket and file in this matter remain sealed until the earlier of (1) 72 hours after entry of this order or (2) Plaintiff provides the Court with Notice that Defendant Bolze has been served with the Complaint. In support of the motion, Plaintiff states that the request for a temporary seal is designed to prevent the Defendants from having

the opportunity to avoid service of the Complaint as well as conceal and dissipate assets, and destroy documents prior to service of a statutory restraining order.

While there is a strong presumption that court files will be open to the public, “a court has the power to seal files where a party’s interest in privacy may outweigh the public interest.” *Smith v. S.E.C.*, 129 F.3d 356, 359 n.1 (6th Cir. 1997); *see also Brown & Williamson Tobacco Corp. v. FTC*, 710 F.2d 1165, 1179 (6th Cir. 1983). The Court finds that Plaintiff’s motion is well-taken due to the interests of (1) preventing concealment and dissipation of assets; (2) preventing destruction of documents in this matter; and (3) preventing Defendants from having the opportunity to avoid service. Additionally, the Court emphasizes the limited temporal duration of the request by Plaintiff, an independent federal regulatory agency .

Thus, for good cause shown, Plaintiff’s *Ex Parte* Motion to Temporarily Seal Entire File is hereby **GRANTED**. The Clerk is **DIRECTED** to seal the entire docket and file in this matter until the earlier of (1) 72 hours after entry of this order or (2) Plaintiff provides the Court with Notice that Defendant Bolze has been served with the Complaint.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE