

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**JANE DOE, JOHN and MARY DOE, Parents)
And Legal Guardians of the Minor Child, JUNE)
DOE; JOHN and MARY DOE, Parents and)
Legal Guardians of the Minor Child, SALLY)
DOE,)**

Plaintiff,

v.

**RUTHERFORD COUNTY, TENNESSEE,)
BOARD OF EDUCATION,)**

Defendants,

**Case No. 3:13-cv-00328
Judge Aleta A. Trauger**

ORDER

The plaintiffs seek leave to amend their responses to certain facts asserted by the defendant in support of the defendant’s Motion for Summary Judgment. The plaintiffs inadvertently filed a motion seeking this relief without sealing the motion (Docket No. 107), and now ask the court to strike that unsealed motion (Docket No. 109). The plaintiffs have refiled the same underlying motion for leave under seal (Docket No. 110) and their proposed late-filed responses under seal (Docket No. 108).

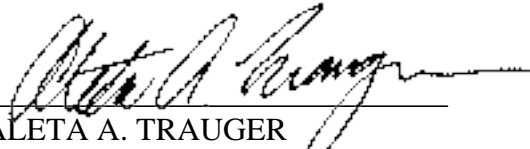
The plaintiffs’ Motion to Strike (Docket No. 109) is hereby **GRANTED**. The clerk is directed to strike the entry at Docket No. 107 and to seal the entry, which otherwise would disclose the identities of the minor plaintiffs in this lawsuit.

With respect to the sealed Motion for Leave to Accept Late Filed Responses, the plaintiffs seek to amend their responses to seven of the 343 facts asserted by defendants, amendments that would correct the inadvertent omission of certain revisions that should have

been, but were not, incorporated into the version filed with the court on July 21, 2014. The court finds that permitting these corrections and considering them in connection with the pending Motion for Summary Judgment would serve the interests of justice, are the result of excusable neglect or inadvertence, and will result in negligible prejudice to the defendant. Accordingly, the Motion for Leave (Docket No. 110) is hereby **GRANTED**. The court will therefore treat the document filed under seal at Docket No. 108 as the operative set of plaintiffs' responses to the defendant's asserted facts.

It is so **ORDERED**

Enter this 6th day of August 2014.



ALET A. TRAUGER
United States District Judge