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Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT WESTERN WASHINGTON AT TACOMA DIVISION

MAJOR MARGARET WITT,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE AIR FORCE; ET AL.,

Defendants.

No. C06-5195 RBL

STIPULATION AND ORDER TO SEAL PREVIOUSLY FILED DOCUMENTS 112-2 AND 112-4

I. STIPULATION

The parties to this action, by and through their respective attorneys of record, hereby stipulate and agree that Documents 112-2 and 112-4 previously filed with this Court shall be sealed consistent with Local Civil Rule 5(g). Documents 112-2 and 112-4 contain personally identifying information which may reveal currently serving gay and lesbian servicemembers. Accordingly, there is a compelling interest in protecting these documents from public review.

The parties agree that the above documents will be replaced with redacted versions attached to this Stipulation & Order as Exhibit 1 (Redacted 112-2) and Exhibit 2 (Redacted 112-

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Stip and Order to Seal Previously Filed Docs. 112-2 and 112-4 No. C06-5195 ACLU OF WASHINGTON FOUNDATION 901 Fifth Avenue 630 Seattle, Washington 98164 (206) 624-2184 4). Exhibits 1 and 2 are identical to Documents 112-2 and 112-4 with the exception that personally identifying information has been redacted. If the Court grants this Stipulation & Order, Plaintiff will file a praecipe containing the redacted documents (Exhibits 1 and 2).

Respectfully submitted,

/s/ Peter J. Phipps_

PETER J. PHIPPS

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United States Department of Justice Civil Division, Federal Programs Branch

By:

DATED this 8th day of October, 2010.

U.S. DEPARTMENT OF JUSTICE

DATED this 8th day of October, 2010.

AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON FOUNDATION

By:

<u>/s/ Sarah A. Dunne</u> Sarah A. Dunne, WSBA #34869 Sher S. Kung, WSBA #42077 901 Fifth Avenue #630 Seattle, WA 98164 Tel: (206) 624-2184 dunne@aclu-wa.org skung@aclu-wa.org

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Stip and Order to Seal Previously Filed Docs. 112-2 and 112-4 No. C06-5195 ACLU OF WASHINGTON FOUNDATION 901 Fifth Avenue 630 Seattle, Washington 98164 (206) 624-2184

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II. ORDER

Based on the foregoing stipulation and a compelling showing, it is hereby ORDERED that Documents 112-2 and 112-4 shall be sealed. Plaintiff shall file a praecipe with the redacted versions as set forth in Exhibits 1 and 2 attached to this Stipulation & Order.

DATED this 12th day of October, 2010.

RONALD B. LEIGHTON UNITED STATES DISTRICT JUDGE

Presented by:

DATED this 8th day of October, 2010.

ACLU OF WASHINGTON FOUNDATION

By: <u>/s/ Sarah A. Dunne</u> Sarah A. Dunne, WSBA #34869 Sher S. Kung, WSBA #42077 901 Fifth Ave, #630 Seattle, WA 98164 Tel: (206) 624-2184 dunne@aclu-wa.org skung@aclu-wa.org

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Attorneys for Plaintiff

DATED this 8th day of October, 2010.

U.S. DEPARTMENT OF JUSTICE

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