

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

CHARLES JOHNSON, et al.,

Plaintiffs,

v.

Case No.: 3:13-cv-06529

FORD MOTOR COMPANY,

Defendant.

MEMORANDUM OPINION and ORDER

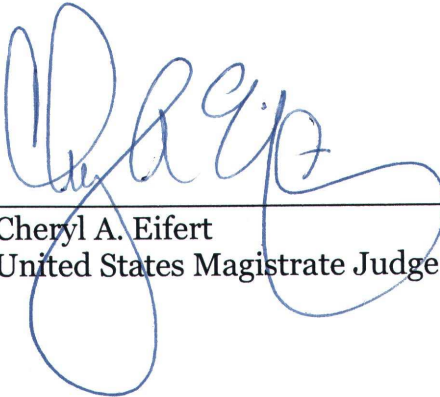
Pending before the court is Plaintiffs' Motion to Seal, (ECF No. 848), requesting that Plaintiff's Motion to Compel along with the attached exhibits, (ECF No. 847), be sealed. Having reviewed the motion, and for good cause shown, the court **GRANTS** the Motion to Seal, at least temporarily. The undersigned is cognizant of the well-established Fourth Circuit precedent recognizing a presumption in favor of public access to judicial records. *Ashcraft v. Conoco, Inc.*, 218 F.3d 288 (4th Cir. 2000). As stated in *Ashcraft*, before sealing a document, the court must follow a three step process: (1) provide public notice of the request to seal; (2) consider less drastic alternatives to sealing the document; and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting alternatives. *Id.* at 302.

In their motion to seal, Plaintiffs contend that the motion to compel and attached exhibits contain materials previously designated as confidential under a Protective Order entered in this litigation. (ECF No. 316). Accordingly, the Clerk is **ORDERED** to seal ECF No. 847 and its supporting exhibits until further order of the court. The sealed documents

shall be designated as sealed on the docket, which the court deems to be sufficient notice to interested members of the public. The court has considered less drastic alternatives to sealing ECF No. 847 in its entirety; however, Plaintiffs claim that the information designated as confidential is scattered throughout the motion and in the attached exhibits. The parties have not had an opportunity to review the materials together to determine what should be redacted. Accordingly, at this time, the motion to compel and attached documents shall be sealed in their entirety to allow that conversation to take place. Given that the parties will closely review the documents to determine what can be unsealed, the court finds that temporarily sealing ECF No. 847, and its attachments, does not improperly or significantly prejudice the public's right to access court documents.

The Clerk is instructed to provide a copy of this Order to all counsel of record and any unrepresented parties.

ENTERED: December 9, 2016



Cheryl A. Eifert
United States Magistrate Judge