

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**FOND DU LAC BUMPER EXCHANGE, INC., on
behalf of itself and others similarly situated,
Plaintiffs,**

Case No. 09C0852

v.

**JUI LI ENTERPRISE COMPANY, LTD., ET AL.,
Defendants.**

**VEHIMAX INTERNATIONAL, LLC, on behalf of
itself and others similarly situated,
Plaintiffs,**

Case No. 10C0224

v.

**JUI LI ENTERPRISE COMPANY, LTD., ET AL.,
Defendants.**

**ARKANSAS TRANSIT , ARKANSAS TRANSIT HOMES,
INC., OLIVIA LEE, PATRICK TORREY, MARY FOWLER,
et al.,**

Plaintiffs,

Case No. 11C0162

v.

**JUI LI ENTERPRISE COMPANY LTD., et al.,
Defendants**

ORDER

Direct purchaser plaintiffs have filed a motion requesting leave to file under seal unredacted versions of the memorandum in support of their motion to compel defendant TYG Products, L.P. to produce documents (Docket #321), exhibits F, G, H and I to the declaration of Jessica N. Servais filed in support of the motion (Docket #322), and the reply

brief in support of the motion (Docket #333). Defendant TYG Products, L.P. has responded with its own motion to file under seal an unredacted version of its brief in opposition to the motion (Docket #330), and exhibits 2 and 3 to the declaration of Robert M. Kalec filed in support of that brief (Docket #331). The parties argue that these documents contain information marked confidential pursuant to the parties' stipulated protective order. Since courts are public institutions, the parties' unsupported claims that these documents are confidential is not sufficient to overcome the presumption of openness. See Cnty. Materials Corp. v. Allan Block Corp., 502 F.3d 730, 740 (7th Cir. 2007). An agreement between the parties to maintain the secrecy of a document is acceptable before a document enters the judicial record, but once a document is submitted to the court as part of a request for a judicial ruling there must be a justification for maintaining long-term confidentiality. Baxter Int'l, Inc. v. Abbott Laboratories, 297 F.3d 544, 545 (7th Cir. 2002).

THEREFORE, IT IS ORDERED that the parties have 10 days to show good cause why the motions to file documents under seal [DOCKET #323, 329, 332] should be granted.

Dated at Milwaukee, Wisconsin, this 9th day of January 2013.

s/ Lynn Adelman

LYNN ADELMAN
District Judge