

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

ORDER

PROCEDURES FOR FILING DOCUMENTS UNDER SEAL IN CIVIL CASES

The Court hereby adopts the following procedures for filing documents under seal.

- (A) No document or other tangible item may be filed under seal in the record of any civil case of this court without an accompanying separate motion and order to seal as set forth herein, unless otherwise authorized by law.
- (B) Any motion for protective order providing prospectively for filing of documents under seal shall be accompanied by a non-confidential supporting memorandum, a notice that identifies the motion as a sealing motion, and a proposed order. A confidential memorandum for in camera review may also be submitted. The non-confidential memorandum and the proposed order shall include:
 - (1) A non-confidential description of what is to be sealed (E.g. "medical records");
 - (2) A statement as to why sealing is necessary, and why another procedure will not suffice;
 - (3) References to governing case law; and
 - (4) A statement as to the period of time the party seeks to have the matter maintained under seal and as to how the matter is to be handled upon sealing.

The proposed order shall recite the findings required by governing case law to support the proposed sealing.

The Clerk shall provide public notice by docketing the motion as set forth in the non-confidential description, with its hearing date (if any). Other parties and non-parties may submit memoranda in support of or opposition to the motion, and may designate all or part of such memoranda as confidential. Any confidential memoranda will be treated as sealed pending the outcome of the ruling on the motion.

- (C) A party submitting a document or portion of a document (e.g., exhibits[s]) for filing under seal pursuant to a governing statute, rule, or order shall note on the face of the document that it or a portion of it is filed under seal pursuant to that statute, rule, or order. The Clerk shall provide public notice by stating on the docket that the document contains sealed material.
- (D) If the motion to file the pleading under seal is denied, the movant may file another motion to remove the document(s) from the record within seven (7) days. If no such motion is timely filed, the document(s) will be filed as a public record.
- (E) Each document that is the subject of an existing sealing order, or the subject of a motion for such an order, shall be submitted to the Clerk's Office securely sealed, with the container clearly labeled "UNDER SEAL." The case number, case caption, a reference to any statute, rule or order permitting the item to be sealed and a non-confidential descriptive title of the document shall also be noted on the container.
- (F) A motion to have the entire case kept under seal shall be subject to the requirements and procedures of sections (C) and (E).
- (G) Nothing in this Standing Order limits the ability of the parties, by agreement, to restrict access to documents which are not filed with the court.
- (H) Trial exhibits, including documents previously filed under seal, and trial transcripts will not be filed under seal except upon a showing of necessity demonstrated to the trial judge.

New Orleans, Louisiana, this 26TH day of July, 2006.


HELEN G. BERRIGAN, Chief Judge