

United States District Court
Middle District of Florida
Jacksonville Division

LANARD TOYS LIMITED,

Plaintiff,

v.

No. 3:15-CV-849-J-34PDB

DOLGENCORP LLC ETC.,

Defendants.

Order

The Court previously denied Lanard Toys Limited's motion to maintain information under seal, [Doc. 374](#), without prejudice to filing a motion providing necessary information on sealing by March 15, 2019. [Doc. 441](#) at 3. Lanard timely filed another motion to maintain documents under seal, [Doc. 465](#), and the defendants have responded, [Doc. 466](#).

Much of the motion and response discuss how Lanard designated the information under the terms of the protective order. The designation has little bearing on what information should remain sealed; the designation provides insufficient judicial scrutiny to decide what information should be sealed from public view in this public case.

Lanard seeks to maintain under seal customer and third-party-manufacturer identities and information regarding sales, profit margins, and pricing. [Doc. 465](#) at 8–13. Lanard requests the documents be sealed until July 31, 2020. [Doc. 465](#) at 13–14.

Applying the standards previously described, [Doc. 189](#) at 1–3, [Doc. 441](#) at 1, Lanard has overcome the presumption of public access. The customer names (with

exceptions described below) and financial information are not publicly known, and their disclosure could provide a competitive advantage to others. The information concerns no public official or public issue. Lanard has narrowly tailored the requested relief, and no less restrictive alternative appears available.

The Court **grants** Lanard’s motion, **Doc. 465**, to the extent the following information may be redacted until July 31, 2020, with a redacted version placed by the clerk on the public docket. Lanard is cautioned that some of the information could be disclosed earlier in orders or at trial.

Doc.	Page:Line or Bates
238	(the Bates stamps are not visible but the documents are the same as LNRD-000736–LNRD-000740)
326-5	LNRD-000736–LNRD-000740
324-5	(the Bates stamps are not visible but the documents are the same as LNRD-000736–LNRD-000740)
325-4	(the Bates stamps are not visible but the documents are the same as LNRD-000736–LNRD-000740)
358-5	(the Bates stamps are not visible but the documents are the same as LNRD-000736–LNRD-000740)
355	34:24 35:18, 19 40:9 43:5–24 44:1–8 46:24 47:2, 4, 5 51:22 54:19–20 Customer names in word index and transcript
376-3	Paragraph 11 Pages 37–38 (ex. 2)
319-1	Paragraph 11 Pages 37–38 (ex. 2)
379-3	Paragraph 11 Pages 37–38 (ex. 2)
357-2	COHEN 0027
376-3	Paragraph 14
319-1	Paragraph 14
379-3	Paragraph 14

The Court **denies** the motion, Doc. 465, to the extent Lanard seeks to maintain under seal these customer identities: Walgreens, Kmart, and Walmart. Lanard has publicly identified them as customers in the complaint (Doc. 103 at 5) and declaration by James Hesterberg (Doc. 299-1 at 6, Doc. 321-3 at 6). To the extent the above documents identify Walgreens, Kmart, or Walmart, those names will not be redacted.

The Court **directs** the clerk to place redacted versions of the listed documents on the public docket and unseal any document not specifically listed here or in Document 441 by April 19, 2019 (unless the Court has otherwise allowed a document to remain under seal, see, e.g., Doc. 189 at 4.)

Ordered in Jacksonville, Florida, on March 20, 2019.



PATRICIA D. BARKSDALE
United States Magistrate Judge

c: Counsel of record