

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

TIMOTHY J. BELCHER,

Plaintiff,

v.

Case No: 8:16-cv-690-T-23AEP

OCWEN LOAN SERVICING, LLC,

Defendant.

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ORDER

This matter comes before the Court upon the parties' Joint Motion to File Exhibits Under Seal (Doc. 101). The parties request the Court to enter an order permitting them leave to file certain exhibits to their respective Motions for Summary Judgment under seal. Specifically, the parties seek leave to file under seal the transcript of the deposition of Ocwen's corporate representative, and accompanying exhibits, as well as Mr. Belcher's deposition, and accompanying exhibits. In support of their motion, the parties assert that the exhibits are subject to a Confidentiality Agreement entered into by the parties that requires a party wishing to file documents designated as confidential to first file a motion for leave to file them under seal. (Doc. 101).

The right of access to judicial records pursuant to the common law is well established. However, the public's right of access is not absolute and "may be overcome by a showing of good cause, which requires balancing the asserted right of access against the other party's interest in keeping the information confidential." *Romero v. Drummond Co.*, 480 F.3d 1234, 1246 (11th Cir. 2007) (internal quotations and citations omitted). Additionally, filing under

seal in this Court is governed by Local Rule 1.09, which provides that “[e]very order sealing any item pursuant [to] this section shall state the particular reason the seal is required.” Further, absent court order or good cause, “no order sealing any item . . . shall extend beyond one year, although a seal is renewable by a motion that complies with (b) of this rule, identifies the expiration of the seal, and is filed before the expiration of the seal.” Local Rule 1.09(c). Here, the Court finds that the forthcoming motion for leave to file certain exhibits to their respective Motions for Summary Judgment will contain information that is personal, proprietary, and/or confidential in nature. As such, good cause exists for filing under seal.¹ *See Romero*, 480 F.3d at 1246 (“A party’s privacy or proprietary interest in information sometimes overcomes the interest of the public in accessing the information.”).

Accordingly, after due consideration, it is hereby

ORDERED:

1. The parties’ Joint Motion to File Exhibits Under Seal (Doc. 101) is **GRANTED**.
2. The Clerk is directed to accept for filing UNDER SEAL the parties’ forthcoming exhibits. These documents shall remain sealed until the conclusion of this case.

DONE AND ORDERED in Tampa, Florida, this 15th day of March, 2019.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of record

¹ Upon the parties’ filing of the documents under seal, the Court shall review the documents to determine whether they can remain under seal. If the Court determines that the documents do not contain information that is personal, proprietary, and/or confidential in nature, the parties may be directed to re-file the documents in a redacted format instead.