

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

ANDREW GIANCOLA, RAYMOND T.  
SCOTT, and PATRICIA SMITH, Individually  
and On Behalf of All Others Similarly Situated,

Plaintiffs,

v.

LINCARE HOLDINGS INC.,

Defendant.

Case No.: 8:17-cv-02427-T-33AEP

**~~PROPOSED~~ ORDER GRANTING PLAINTIFFS' MOTION TO FILE UNDER SEAL**

This cause is before the Court on Plaintiffs' Motion to File Under Seal Exhibit "1" to Plaintiffs' Notice of Non-Objection to their Unopposed Motion for Final Approval of Class Action Settlement (the "Notice"), and the Proposed Final Order attached as Exhibit "A" to Exhibit "2" to Plaintiffs' Notice. Specifically, Plaintiff moves the Court for permission to file the following documents under seal: (1) the Settlement Administrator's affidavit (and its attached exhibit) containing the final list of Class Members excluded from the Settlement (Exhibit 1 to Plaintiffs' Notice), and (2) a summary of the list of Class Members excluded from the Settlement (Exhibit A to the Proposed Final Order attached as Exhibit 2 to Plaintiffs' Notice).

Upon consideration, the Court finds that the unredacted list of excluded Class Members contained in the Settlement Administrator's affidavit (and attached exhibit), attached as Exhibit 1 to Plaintiffs' Notice, and the summary of the list of Class Members excluded from the Settlement, attached as Exhibit A to the Proposed Final Order filed concurrently as Exhibit 2 to Plaintiffs' Notice, contain confidential and/or proprietary information that should not be made public. Therefore, good cause having been shown as to why such documents should be filed under seal,

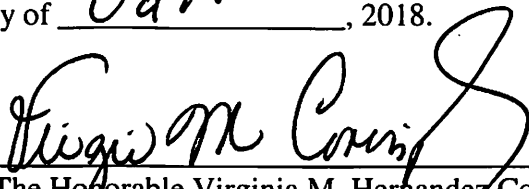
the Court directs the Clerk to file unredacted versions of Exhibits "1" (and its exhibit) to Plaintiffs' Notice, and Exhibit "A" to Exhibit "2" to Plaintiffs' Notice, under seal.

It is hereby **ORDERED**:

1. Pursuant to Local Rule 1.09(a), Plaintiffs' Motion to File Under Seal Exhibit "1" (and its exhibit) to Plaintiffs' Notice, and Exhibit "A" to Exhibit "2" to Plaintiffs' Notice, is hereby **GRANTED**.

2. The Clerk is directed to file unredacted versions of the Settlement Administrator's affidavit (and its attached exhibit) containing the final list of Class Members excluded from the Settlement, attached as Exhibit 1 to Plaintiffs' Notice, and the summary list of Class Members excluded from the Settlement, Exhibit A to the Proposed Final Order attached as Exhibit 2 to Plaintiffs' Notice, under seal for a period of five (5) years following the Effective Date of the Settlement, after which time the documents sealed pursuant to this Motion shall be returned to the Parties, or until such time as the Court orders otherwise.

IT IS SO ORDERED this 11<sup>th</sup> day of October, 2018.

  
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The Honorable Virginia M. Hernandez Covington  
United States District Judge