

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MARISSA GIANNERINI,

Plaintiff,

v.

Case No: 6:22-cv-2075-RBD-LHP

EMBRY-RIDDLE AERONAUTICAL
UNIVERSITY, INC.,

Defendant

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

MOTION: DEFENDANT'S MOTION TO SEAL RESPONSE TO PLAINTIFF'S MOTION *IN LIMINE* UNDER PROTECTIVE ORDER GOVERNING DISCOVERY (Doc. No. 208)

FILED: July 12, 2024

THEREON it is ORDERED that the motion is GRANTED.

Before the Court is Defendant's motion to file under seal a copy of its unredacted response in opposition (and exhibit thereto) to Plaintiff's motion in limine, with a redacted version to be filed on the public docket. Doc. No. 208.

According to the motion, the response “includes, quotes, or references” documents already filed under seal in this litigation, specifically, testimony and exhibits from the deposition of Andrea Hooper, Doc. No. 154, which materials are subject to the Protective Order Governing Discovery, Doc. No. 59, and otherwise contain confidential materials in the form of Defendant’s internal investigative materials and non-party student information. *Id.* at 2–4. Plaintiff does not oppose. Doc. No. 210.

Upon review, having considered Local Rule 1.11 and the Eleventh Circuit’s standard for sealing, and given that the materials referenced in the response have previously been ordered sealed by the Court, *see* Doc. No. 154, the Court will allow the unredacted response and exhibit (Doc. Nos. 208-1, 208-2) to remain under seal, and the Court will order Defendant to file a redacted version of the response on the public docket, as set forth in the motion. *See* Doc. No. 208, at 1 (proposed redactions to include only the first paragraph on page three and all of page five). The parties are cautioned, however, that the Court may require that the information filed under seal later be filed in the public record, if it determines that the documents are not properly subject to sealing.

Accordingly, it is **ORDERED** as follows:

1. Defendant’s Motion to Seal Response to Plaintiff’s Motion *in Limine* Under Protective Order Governing Discovery (Doc. No. 208) is **GRANTED**.

2. The Court will allow the unredacted response and exhibit (Doc. Nos. 208-1, 208-2) to remain under seal.

3. This seal shall not extend beyond **ninety (90) days** after the case is closed and all appeals exhausted. *See* Local Rule 1.11(e).

4. **By close of business today, July 17, 2024**, Defendant shall file a redacted version of the response and exhibit on the public docket, to include only the redactions as set forth in the motion. *See* Doc. No. 208, at 1.

DONE and ORDERED in Orlando, Florida on July 17, 2024.

A handwritten signature in blue ink that reads "Leslie Hoffman Price". The signature is written in a cursive style and is positioned above a horizontal line.

LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties