

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

STANDING ORDER RE: FILING OF CONFIDENTIAL DOCUMENTS

*in Judge Zobel's cases*

ZOBEL, S.D.J.

Parties that seek to file a protective order in any civil or criminal cases must include the following provision in their proposed protective order:

**Filing of Confidential Documents:**

If a recipient of Confidential information (the "Receiving Party") seeks to file documents designed as Confidential Information or which contain information so designated, it shall provide at least 48 hours notice of its intention to do so to the party that designated that information as Confidential information (the "Designating Party"). This Notice shall detail precisely which documents the Receiving Party seeks to file. The Receiving Party and Designating Party shall then meet and confer, within the next 24 hours, to discuss whether the Receiving Party objects to the public filing of each document, and, if it does, whether a compromise can be reached (e.g., filing only excerpts of the document or filing a redacted version of the document). This shall be a substantive, not pro forma, meet and confer, and counsel with substantial decision-making authority for both parties shall be present. If any disputes remain after this meet and confer, the Receiving Party shall file any documents for which there is no dispute publicly, along with redacted copies of documents for which there is a dispute. The Receiving Party shall also contemporaneously file a joint motion for leave to file under seal only the documents for which a dispute remains. For each such document, the motion shall describe (1) the general nature of the Confidential Information, (2) why the Confidential Information is necessary to the filing, (3) why the Receiving Party objects to public disclosure of Confidential Information (specifically addressing the standard for sealing), (4) which counsel were present at the meet and confer, and (5) what compromises were discussed in the meet and confer. The Receiving Party shall also lodge with the court a CD containing electronic copies of unredacted versions of the documents no later than 12:00 P.M. (Boston time) on the business day following the filing of the motion for leave to file under seal. The unredacted versions must indicate, by highlighting or other clear method, the portions of the documents that have been omitted from the redacted versions, and prominently display the notation UNREDACTED VERSION OF DOCUMENT(S) SOUGHT TO BE SEALED. The parties shall not file

paper copies of unredacted versions until a motion for leave to file under seal is allowed. If the court denies a motion for leave to file a document under seal, the Receiving Party may immediately file it in the public record without contravening this Protective Order.

The court will not allow a motion for leave to file a sealing motion under seal.

**So Ordered.**

June XX, 2017

DATE

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RYA W. ZOBEL  
SENIOR UNITED STATES DISTRICT JUDGE