

LBR 9018 - 1

Secret, Confidential, Scandalous, or Defamatory Matter

a) Motion to Seal

- (1) A motion to seal may be made on an ex parte basis without notice on any grounds permitted by law; and shall contain the basis for why sealing is required ~~and shall be accompanied by a copy of the proposed order. Notice of the motion shall be in accordance with LBR 9013-1(b).~~ The order shall be submitted in the manner required by LBR 9013-1(c).

Note: At sub-paragraph (a)(1), reference to LBR 9013-1(c) should be deleted since changes to LBR 9013-1 made in October 2005 deleted that sub-section. The motion may be on an ex parte basis without notice pursuant to 11 USC 107. The proposed order to seal would be submitted electronically.

- (2) As soon as practicable ~~Filed simultaneously with the motion to seal shall be the~~ document to be sealed; shall be filed in the manner prescribed ~~presented as required by sub-paragraph (b) of this rule. The document shall be filed provisionally under seal, and will remain provisionally under seal until the court rules on the motion.~~

Note: At sub-paragraph (a)(2), the change suggested is to recognize that the motion to seal would be done electronically, however, the documents to be sealed would be submitted conventionally. This comports with the court's general order 02-05 that establishes standards for electronic filing which requires that "sealed" documents be filed conventionally.