

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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In re: Requests to Seal Documents

ADMINISTRATIVE ORDER  
2004-05

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WHEREAS the Court intends to establish a uniform procedure for the submission of requests by litigants or counsel who wish to file a document under seal; and

WHEREAS no civil case document submitted for filing, except for documents not served on defendants pursuant to provisions of the False Claims Act, 31 U.S.C. § 3730(b), will be sealed absent the express authorization of the assigned district judge or magistrate judge; and

WHEREAS in criminal cases, except for an indictment or an information sealed by the grand jury, no documents submitted by either the government or defense counsel after the public filing of an indictment or information will be sealed absent the express authorization of the assigned district judge or magistrate judge; it is

ORDERED as follows:

1.) The moving litigant or counsel who wishes to file a document under seal must provide to the Clerk's Office, on the form annexed, either a.) the case caption, docket number, assigned judge, and date of the order that authorized filing under seal; or, b.) if there is no such preexisting order, the statute, regulation, or other legal basis that authorizes filing under seal.

2.) The United States Attorney's Office may continue to follow existing procedures for sealing criminal case documents of all kinds pre-indictment; this Administrative Order and form will apply only to requests to seal documents made by either the government or defense counsel after the public filing

of an indictment or information.

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3.) Nothing in this Administrative Order is intended to preclude the right of any party to bring a formal motion before the assigned judicial officer for leave to file a particular document or documents under seal and/or *ex parte*.

4.) Any party or person who believes that a filing should not have been made under seal, may raise that question with the Court by letter, with copies served on all parties

SO ORDERED.

Dated: Brooklyn, New York  
April 20, 2004

S/ERK  
Chief Judge

O: Clerk's Office

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK



APPLICATION FOR LEAVE  
TO FILE DOCUMENT  
UNDER SEAL

\*\*\*\*\*

-v.-

- \_\_\_\_\_
- 
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- \_\_\_\_\_
- Docket Number
- 
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SUBMITTED BY: Plaintiff \_\_\_ Defendant \_\_\_ DOJ \_\_\_  
 Name: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

**A) If pursuant to a prior Court Order:**

Docket Number of Case in Which Entered: \_\_\_\_\_  
 Judge/Magistrate Judge: \_\_\_\_\_  
 Date Entered: \_\_\_\_\_

**B) If a new application,** the statute, regulation, or other legal basis that authorizes filing under seal

**ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE, AND MAY NOT BE UNSEALED UNLESS ORDERED BY THE COURT.**

DATED: \_\_\_\_\_, NEW YORK

U.S. DISTRICT JUDGE/U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE \_\_\_\_\_  
DATE

**MANDATORY CERTIFICATION OF SERVICE:**

A.) \_\_\_ A copy of this application either has been or will be promptly served upon all parties to this action, B.) \_\_\_ Service is excused by 31 U.S.C 3730(b), or by the following other statute or regulation: \_\_\_\_\_; or C.) \_\_\_\_\_ This is a criminal document submitted, and flight public safety, or security are significant concerns. (Check one)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE