

# Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T | F 305.789.7799  
Holland & Knight LLP | www.hklaw.com

Christine N. Walz  
+1 305-789-7678  
Sandy.Bohrer@hklaw.com

Sanford L. Bohrer  
+1 305-789-7678  
Sandy.Bohrer@hklaw.com

March 19, 2020

## **Via ECF**

The Honorable Loretta A. Preska  
District Court Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: List of Decided Motions**  
***Giuffre v. Maxwell*, Case No. 15-cv-7433-LAP**

Dear Judge Preska:

Both Plaintiff Virginia Giuffre and Defendant Ghislaine Maxwell have asked for this Court's permission to file a List of Decided Motions under seal because the list contains information that is currently subject to the Sealing Order in this case. *See* Dkt. 132 and 133.

"It is the clear law of this Circuit that civil docket sheets 'enjoy a presumption of openness and that the public and the media possess a qualified First Amendment right to inspect them.'" *Bernstein v. Bernstein Litowitz Berger & Grossmann LLP*, No. 14-CV-6867 (VEC), 2016 WL 1071107, at \*6 (S.D.N.Y. Mar. 18, 2016), *aff'd*, 814 F.3d 132 (2d Cir. 2016) (disclosing docket sheets after finding there are no "compelling private interests favoring sealing"). Where a presumption of the highest weight exists, "[t]he Court is required to order disclosure absent compelling reasons to deny access and *even then must employ the least restrictive possible means of doing so.*" *United States v. All Funds on Deposit at Wells Fargo Bank in San Francisco, California, in Account No. 7986104185*, 643 F. Supp. 2d 577, 585 (S.D.N.Y. 2009)(emphasis added).

Intervenors therefore respectfully request that the List of Decided Motions be filed publicly. It is unclear to Intervenors what information in the title of any decided motions could be properly sealed. However, if such information exists, a redacted version of the list or a version of

The Honorable Loretta A. Preska

March 19, 2020

Page 2

the list that replaces names with personal identifiers (*i.e.* John Doe #1) should be publicly filed pending the Court's ruling on whether this information should be unsealed.

Respectfully submitted,

HOLLAND & KNIGHT LLP

/s/ Christine N. Walz

Sanford L. Bohrer

Christine N. Walz

31 West 52nd Street

New York, NY 10019

Telephone: 212.513.3200

Fax: 212.385.9010

*Attorneys for Intervenors*

*Julie Brown and Miami Herald Media Company*