

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

JOHN DOE,

Plaintiff,

-against-

DONALD J. TRUMP, as President of the United States of America; JOHN F. KELLY, as Secretary of the Department of Homeland Security; THE DEPARTMENT OF HOMELAND SECURITY; LORI SCIALABBA, as Acting Director of the U.S. Citizenship and Immigration Services; U.S. CITIZENSHIP AND IMMIGRATION SERVICES; REX W. TILLERSON, as Secretary of State; U.S. DEPARTMENT OF STATE; and THE UNITED STATES OF AMERICA,

Defendants.

Civil Action No.: 17-cv-112

Chief Judge William M. Conley

MOTION TO FILE UNDER SEAL

Plaintiff John Doe, by his undersigned attorneys, hereby respectfully moves the Court for an order sealing the Named Declaration of John Doe in Support of His Renewed Application for a Temporary Restraining Order and Preliminary Injunction, dated March 10, 2017, and its supporting exhibits, all of which are filed contemporaneously with this motion.¹

Although documents submitted to a court are presumptively available for public inspection, portions of documents that are shown to contain information that would cause undue private or public harm if disclosed, as by invading personal privacy gratuitously, may be kept

¹ This motion will not be supported by either an affidavit or brief. On March 10, 2017, we notified Defendants' counsel of our intention to file this motion. In response, Ms. Davila informed us that the Government takes no position on this motion and defers to the Court.

under seal. *Jessup v. Luther*, 277 F.3d 926, 929 (7th Cir. 2002). The Named Declaration and its exhibits contain personal identifying information related to Plaintiff and his family, including their names and addresses. Sealing of the Named Affidavit and its exhibits is accordingly appropriate because, as the Court has found, “the plaintiff’s right to privacy, specifically to protect himself, his wife and daughter from retaliation, outweighs the public interest in knowing plaintiff’s actual name in these proceedings.” Order of Feb. 14, 2017, Dkt. No. 14. Therefore, Plaintiff respectfully requests this Court enter an order sealing the Named Declaration and its supporting exhibits. Should the Court do so, we will promptly provide the Government with an unredacted copy of these materials.

Dated: New York, New York
March 10, 2017

Respectfully submitted,

By: /s/ Vincent Levy
HOLWELL SHUSTER & GOLDBERG LLP
Vincent Levy (vlevy@hsgllp.com)
Lauren Giudice (lgiudice@hsgllp.com)
Andrew Breidenbach (abreidenbach@hsgllp.com)
Andrei Vrabie (avrabie@hsgllp.com)
Matthew V.H. Noller (mnoller@hsgllp.com)
Sarah Sternlieb (ssternlieb@hsgllp.com)
Kevin Benish (kbenish@hsgllp.com) (*law clerk –
New York State Bar admission pending*)
750 Seventh Avenue, 26th Floor
New York, NY 10019
(646) 837-5151

PINES BACH LLP
Lester A. Pines, SBN 1016543
Tamara B. Packard, SBN 1023111
Alison TenBruggencate, SBN 1018869
122 West Washington Ave., Ste. 900
Madison, WI 53703
(608) 251-0101 (telephone)
(608) 251-2883 (facsimile)
lpines@pinesbach.com
tpackard@pinesbach.com
atenbruggencate@pinesbach.com

Attorneys for Plaintiff