

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: SORIN 3T : MDL DOCKET NO. 2816
HEATER-COOLER SYSTEM : Civil Action No. 1:18-MD-2816
PRODUCTS LIABILITY :
LITIGATION (NO. II) :
: Hon. John E. Jones III
:
: THIS DOCUMENT RELATES TO:
: **ALL CASES**
:

CASE MANAGEMENT ORDER NO. 7
RE: LIFT DISCOVERY STAY AND SEALING PROCEDURE

July 9, 2018

In consideration of the parties' joint revised case management plan, the Court hereby **LIFTS** the stay of discovery imposed by Paragraph 7 of Amended Case Management Order No. 1. (Doc. 4).

Additionally, the parties expressed interest in a procedure to streamline the process of filing sealed motions and documents in this matter because of the expected volume of such sealed filings. The Clerk's Office has advised the Court that such a procedure is possible, and the procedure is outlined below.

Steps for Filing Sealed Documents and/or Motions in MDL 2816

1. The Clerk's Office will give designated attorneys access to file a sealed motion, sealed brief in support, sealed brief in opposition, sealed reply brief or a sealed document on the docket in this MDL.

2. To file such sealed motions or documents, the specific events must be used within the docketing system, as outlined below. When these events are used, a redacted Notice of Electronic Filing (NEF) will be generated and sent to all of the attorneys on the case. Most of the information on the redacted NEF will not be case specific. When the attorney receives the redacted NEF they must click on the word “Sealed” which appears next to “Document Number” on the NEF. This will prompt them to enter their ECF login and password and then their PACER login and password. This is a security measure which allows ECF to ensure that the attorney has an appearance³ entered in this matter and has sealed privileges.
3. If an attorney is filing a motion, they must use the event “**Sealed Motion (Only to be used in MDL 2816)**,” which can be found by clicking on Motions in ECF. To file briefs, the attorney should click on “Responses and Replies (Briefs)” in ECF. Depending on what type of Brief the attorney is filing, one of the following three brief events should be used:
 - Sealed Brief in Support (Only to be used for MDL 2816)**
 - Sealed Brief in Opposition (Only to be used for MDL 2816)**
 - Sealed Reply Brief (Only to be used for MDL 2816)**
4. When the Court rules on a motion, the docket entry will be sealed as well, but all attorneys in the case will be noticed.

5. If an attorney is filing a document that is not a motion, the event “**Sealed Document (Only to be used for MDL 2816)**” must be used.
6. As long as the attorneys use the events listed above, only the attorneys in the MDL and the Court will be able to see the docket entry on the docket and will be able to view the document.
7. Attorneys are warned that if they click on the word “here” in the docket text of the redacted NEF, they will incur PACER fees. The proper way to get the “one free look” is to click on the word “Sealed” next to the Document Number.
8. Lead counsel for Plaintiffs and Defendants **SHALL FILE** a joint stipulation on the docket that identifies which attorneys should be granted sealed filing privileges in this matter. If at any point the parties wish to change the designated attorneys, either to add or to remove attorneys with sealed filing privileges, counsel shall file another joint stipulation to that effect.
9. Questions regarding the sealed filing procedure may be directed to Victoria Edlebute of the Clerk’s Office at sorin.mdl@pamd.uscourts.gov.

s/ John E. Jones III
John E. Jones III
U.S. District Judge

