

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN DOE, et al.,

Plaintiffs,

v.

MOUNT VERNON CITY SCHOOL
DISTRICT BOARD OF EDUCATION, et al.,

Defendants.

Case No. 2:08 CV 575

Judge Frost

Magistrate Judge King

**PLAINTIFFS' MOTION TO FILE UNDER SEAL AN EXHIBIT CONTAINING
DOCUMENTS SUBJECT TO A GAG ORDER**

Plaintiffs Stephen and Jenifer Dennis, individually and as the natural parents and next friends of their minor child, ZD (the “Dennises”), hereby move the Court for an order permitting them to file under seal an exhibit in support of their forthcoming Response to Defendant’s Motion for Reconsideration of Opinion and Order Issued June 1, 2010 (Doc. No. 107). The exhibit in question includes attorney R. Kelly Hamilton’s billing records related to the representation of Defendant John Freshwater, which Mr. Hamilton provided to the Mount Vernon City School District Board of Education (“School Board”) as part of settlement discussions in the parallel case of *Freshwater v. Mount Vernon City School District Board of Education*, No. 2:09-cv-464.

Because these billing records are subject to a gag order (*See* Gag Order, *Freshwater v. Mount Vernon City School District Board of Education*, No. 2:09-cv-464 (Doc. No. 56)), the Dennises requested and received the Court’s permission to obtain them from the School Board (*See* Pls.’ Expedited Mot. to Permit the Disclosure of R. Kelly Hamilton’s Billing Records

Related to the Representation of Freshwater (Doc. No. 109); Order Permitting the Disclosure of R. Kelly Hamilton's Billing Records Related to the Representation of Freshwater (Doc. No. 110)). To prevent the documents from being made part of the public record, the Dennises respectfully request that the Court issue the proposed attached order permitting them to file under seal the exhibit containing the documents.

If the Court grants the Dennises leave to file the billing records under seal, the Dennises will manually file the exhibit containing those records with the Clerk and will serve paper copies on opposing counsel in accordance with ECF Manual Rule II(B)(6).

Respectfully submitted,

s/ Douglas M. Mansfield
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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2010, I electronically filed the foregoing Motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following at their e-mail addresses on file with the Court:

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Counsel for Defendant John Freshwater

s/ Douglas M. Mansfield

Douglas M. Mansfield

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**ORDER GRANTING PLAINTIFFS' MOTION TO FILE UNDER SEAL AN EXHIBIT
CONTAINING DOCUMENTS SUBJECT TO A GAG ORDER**

Plaintiffs' Motion to File Under Seal An Exhibit Containing Documents Subject to a Gag Order is GRANTED. Plaintiffs will manually file the exhibit with the Clerk.

IT IS SO ORDERED.

GREGORY L. FROST
UNITED STATES DISTRICT JUDGE