

State of North Dakota

In District Court

County of \_\_\_\_\_

\_\_\_\_\_ Judicial District

\_\_\_\_\_

)

Case No.

Plaintiff,

)

vs

)

\_\_\_\_\_

)

**Findings of Fact,**

)

**Conclusions of Law, and**

)

**Order on Motion to**

\_\_\_\_\_

Defendant.

)

**Prohibit Public Access**

1. The moving party, the (choose one)  Plaintiff  Defendant  Victim  Other (if you chose "other", state relationship) \_\_\_\_\_, submitted

a Motion to Prohibit Public Access to the records in the above-captioned case(s) under

[N.D.Sup.Ct.Admin.R. 41, Section 4\(a\)](#) and [N.D.R.Ct. 3.4\(c\)](#).

2. In the above Motion, the moving party also requested that the documents be labeled

(check one)  sealed/  confidential under [N.D.Sup.Ct.Admin.R. 41, Section 4\(a\)](#) and [N.D.R.Ct. 3.4\(c\)](#).

3. The (choose one)  Plaintiff  Defendant  Victim  Other (if you chose "other", state relationship) \_\_\_\_\_ responded to the Motion. The

court considered the Motion and decided it on Briefs under Rule 3.2 of the North Dakota Rules of Court.

### Findings of Fact

4. The Court finds there are there are sufficient grounds to overcome the presumption of openness of court records in the above-named case to allow public access to the moving party's records to be prohibited.

5. The Court further finds the request that the documents be labeled  sealed/

confidential is justified.

6. The following specific facts show that public interest in maintaining open public access to the records of the above-captioned case(s) is minimal.

- a. \_\_\_\_\_  
\_\_\_\_\_
- b. \_\_\_\_\_  
\_\_\_\_\_
- c. \_\_\_\_\_  
\_\_\_\_\_
- d. \_\_\_\_\_  
\_\_\_\_\_
- e. \_\_\_\_\_  
\_\_\_\_\_
- f. \_\_\_\_\_  
\_\_\_\_\_

7. The following specific facts show that the moving party has sustained or is likely to sustain the following substantial harms because the records in the above-captioned case(s) have remained available for public access (*Paragraph 7 continues on page 3*).

- a. \_\_\_\_\_  
\_\_\_\_\_
- b. \_\_\_\_\_  
\_\_\_\_\_

c. \_\_\_\_\_

\_\_\_\_\_

d. \_\_\_\_\_

\_\_\_\_\_

e. \_\_\_\_\_

\_\_\_\_\_

f. \_\_\_\_\_

8. The following specific facts show that the request that the documents be labeled sealed/  confidential under [N.D.Sup.Ct.Admin.R. 41, Section 4\(a\)](#) and [N.D.R.Ct. 3.4\(c\)](#), is justified.

a. \_\_\_\_\_

\_\_\_\_\_

b. \_\_\_\_\_

\_\_\_\_\_

c. \_\_\_\_\_

\_\_\_\_\_

d. \_\_\_\_\_

\_\_\_\_\_

e. \_\_\_\_\_

\_\_\_\_\_

### Conclusions Of Law

9. There is an overriding interest in protecting the moving party from further harm by restricting public access to the records in the above-captioned case(s).
10. There is a minimal interest in maintaining public access to the records in the above-captioned case(s).
11. There is an overriding interest that the documents be labeled  sealed/  confidential.

### Order

Based on the above, the clerk of court is ordered to promptly:

- a.  Prohibit access to the entire case.
- b.  (i) Restrict access to all of the documents listed in the Moving Party's Brief.
- (ii) Restrict access to all of the documents listed in the Moving Party's Brief except for the following:

c.  (i) Redact all of the information from the documents as listed in the Moving Party's Brief.

(ii) Redact all of the information from the documents as listed in the Moving Party's

Brief except for the following:

d.  (i) Label all documents as  sealed/  confidential.

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District Judge