

Robert L. Stepan
Ryan R. Shaffer
James C. Murnion
Victoria K.M. Gannon
Meyer, Shaffer & Stepan, PLLP
430 Ryman Street
Missoula, MT 59802
Tel: (406) 543-6929
Fax: (406) 721-1799
rob@mss-lawfirm.com
ryan@mss-lawfirm.com
james@mss-lawfirm.com
katy@mss-lawfirm.com

Matthew L. Merrill (appearing *pro hac vice*)
Merrill Law, LLC
6631 Mariposa Court
Denver, CO 80221
Tel: (303) 947-4453
matthew@merrillwaterlaw.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

TRACY CAEKAERT, and CAMILLIA)
MAPLEY,)
)
Plaintiffs,)
vs.)
)
WATCHTOWER BIBLE AND TRACT)
SOCIETY OF NEW YORK, INC., and)
WATCH TOWER BIBLE AND TRACT)
SOCIETY OF PENNSYLVANIA.,)
)
Defendants,)
)
_____)

Case No. CV-20-52-BLG-SPW

**PLAINTIFFS' UNOPPOSED
MOTION FOR LEAVE TO
FILE DOCUMENT
UNDER SEAL**

Pursuant to L.R. 5.2(b) Plaintiffs Tracy Caekaert and Camillia Mapley respectfully move the Court for Leave to file "Exhibit B" to their Brief in Support of their Motion for Leave to File a Motion for Reconsideration (ECF Doc. 273)

under seal. Defendant Watchtower Bible and Tract Society of New York (“WTNY”) was contacted about this Motion, requested that “Exhibit B” be filed under seal, and therefore does not object to this Motion.

“EXHIBIT B”

“Exhibit B” is a two-page letter outlining multiple instances of child sexual abuse at issue in this case and has been previously referred to as *Document 29*. See e.g. ECF Doc. 251 at 4-5. After conducting *in camera* review, the Court recently ordered WTNY to produce a copy of “Exhibit B” with redactions. *Id.*¹ WTNY subsequently produced a copy of “Exhibit B” to Plaintiffs and marked it as CONFIDENTIAL.

BASIS FOR FILING “EXHIBIT B” UNDER SEAL

The parties stipulated to, and the Court entered, a Stipulated Protective Order in this case that permits each party to designate certain categories of documents as CONFIDENTIAL and governs the handling and filing of such documents. See ECF Doc. 110-1, 111. Here, WTNY marked “Exhibit B” as CONFIDENTIAL and the applicable Stipulated Protective Order therefore requires that it be filed under seal unless the CONFIDENTIAL designation is successfully

¹ The Court also ordered that Document 29 be “filed under seal to be accessed only by this Court or an Appellate Court.” ECF Doc. 253.

challenged or WTNY waives such requirement. *Id.* Plaintiffs have not successfully challenged WTNY's CONFIDENTIAL designation of "Exhibit B."

On October 5, 2023, Plaintiffs' counsel asked for WTNY's position on whether "Exhibit B" must be filed under seal. On October 6, 2023, WTNY's counsel stated that "Exhibit B" must be filed under seal:

- Pursuant to L.R. 5.2, WTNY's counsel further stated that the reason why inclusion of "Exhibit B" in the public record is not appropriate is because of "Paragraph 8 of the Stipulated Protective Order agreed to by the parties and agreed to and entered by the Court."
- Pursuant to L.R. 5.2, WTNY's counsel further stated that the reason why it is not feasible to file a redacted version of "Exhibit B" in the public record is because of "Paragraph 8 of the Stipulated Protective Order agreed to by the parties and agreed to and entered by the Court."

Accordingly, pursuant to WTNY's request and the Stipulated Protective Order in this case, Plaintiffs respectfully request permission to file "Exhibit B" to their Brief in Support of their Motion for Leave to File Motion for Reconsideration under seal.

Pursuant to L.R. 7.1, a proposed order is attached and will be emailed to spw_propord@mtd.uscourts.gov.

DATED this 6th day of October, 2023.

By: /s/ Ryan Shaffer
Ryan R. Shaffer
MEYER, SHAFFER & STEPANS PLLP
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

Pursuant to Local Rule 1.4, this document has been served on all parties via electronic service through the Court's Case Management/Electronic Case Filing (CM/ECF) system.

By: /s/ Ryan Shaffer
Ryan R. Shaffer
MEYER, SHAFFER & STEPANS PLLP

Attorneys for Plaintiffs