

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:17-cv-01177-LTB-NYW

DAKOTA TYLER MCGRATH,

Plaintiff.

v.

FORT COLLINS POLICE SERVICES OFFICER NICK ROGERS, in his individual
capacity,

Defendant.

**PROPOSED ORDER GRANTING UNOPPOSED MOTION TO RESTRICT ACCESS
TO CONFIDENTIAL EXHIBITS FROM DEFENDANT**

This matter is before the Court on the Unopposed Motion to Restrict Access to Confidential Exhibits of Defendant Fort Collins Police Services Officer Nick Rogers (“Defendant”), respecting exhibits submitted along with and in support of his Motion for Summary Judgment, namely ECF No. ____-__, Defendant’s **Exhibit E**. For the following reasons, and for good cause shown, the Court grants the Motion.

I. LEGAL STANDARDS

A motion under D.C.COLO.LCivR 7.2(c) to restrict public access to documents filed with the Court must: (1) identify the documents for which restriction is sought; (2) address the interest to be protected and why such interest outweighs the presumption of public access; (3) identify a clearly defined and serious injury that will result if access is not restricted; (4) explain why no alternative to restriction is practicable or why only restriction adequately protects the interest; and (5) identify the level of restriction sought.

II. ANALYSIS

The Court has reviewed each of the documents for which restriction is sought and finds Defendant's Motion satisfies D.C.COLO.LCivR 7.2(c), to wit: (1) Defendant asserts Exhibit E contains confidential information not generally available to the public, including confidential medical conditions, diagnosis, and treatment of Dakota Tyler McGrath ("McGrath"), and in which the public possesses no interest in accessing; (2) Defendant asserts McGrath possesses a privacy interest in the information in the exhibits that outweighs the public's interest in access to them; (3) Defendant states all pages of Exhibit E are designated "Confidential"; (4) Defendant explains no alternative is practicable as redaction of the documents will impede the Court's analysis of the issues in the summary judgment briefing; and (5) Defendant seeks Level 1 restriction for the exhibits.

III. CONCLUSION

Based on the foregoing, and for good cause shown, the Court:

GRANTS Defendant's motion to restrict exhibits (ECF No. ____) submitted along with and in support of his Motion for Summary Judgment, to wit, the Court RESTRICTS to LEVEL 1 ACCESS the following: ECF Nos. ____ -__ and ____ -__.

Dated this ____ day of _____, 2018.

BY THE COURT:

LEWIS T. BABCOCK
United States District Judge