

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

COMMONWEALTH OF
MASSACHUSETTS, *et al.*,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., *et al.*,

Defendants.

No. 1:25-cv-10814-WGY

AMERICAN PUBLIC HEALTH
ASSOCIATION, *et al.*,

Plaintiffs,

v.

NATIONAL INSTITUTES OF
HEALTH, *et al.*,

Defendants.

No. 1:25-cv-10787-WGY

JOINT MOTION AND STIPULATED PROTECTIVE ORDER

Defendants in the above actions produced certain administrative-record documents (*i.e.*, NIH_GRANTS_000001 to NIH_GRANTS_003824) to plaintiffs via secure file-transfer on June 2, 2025, and to the Court via CD-ROM on June 3, 2025. One document within that production, located at NIH_GRANTS_003438 through NIH_GRANTS_003444 (“UMN Letter”), contains information about a nonparty graduate student at the University of Minnesota. The plaintiffs in No. 25-10814 (“State Plaintiffs”), the plaintiffs in No. 25-10787 (“APHA Plaintiffs”), and the defendants in both cases (“Federal Defendants”) agree that good cause exists to maintain the name, identifying information, and descriptions of personal and family medical information concerning that student under seal, because said information is confidential, nonpublic information pertaining

to a nonparty. The parties have prepared an agreed-upon redacted version of the UNM Letter that redacts said confidential, nonpublic information (“Confidential Information”).

Wherefore, the parties stipulate, and hereby move the Court to order, that:

1. Unless otherwise ordered by the Court or permitted in writing by plaintiff the State of Minnesota, the unredacted version of the UMN Letter and the Confidential Information therein may be disclosed only to (i) attorneys for the State Plaintiffs, APHA Plaintiffs, and Federal Defendants, (ii) attorneys, legal assistants, and clerical employees working under the supervision of said attorneys, (iii) the Court and court personnel in the above cases, (iv) any employee of any third-party service contractors (such as document copy services) involved in organizing, filing, coding, converting, storing, or retrieving data in the above cases, (v) any other person to whom disclosure is required by court order or applicable provision of law, provided that, before making any disclosure under this subparagraph (v), the disclosing party shall notify plaintiff the State of Minnesota (through its counsel of record in No. 25-10814) at least 10 business days before said disclosure. The non-disclosure obligations in this paragraph 1 shall survive the termination of the above cases, *i.e.*, any party maintaining any litigation documents containing the unredacted UMN Letter or Confidential Information shall do so in accordance with this paragraph 1.

2. The non-disclosure obligations in paragraph 1 do not extend to the author or recipient of the unredacted UMN Letter or other persons who independently possessed or knew the Confidential Information.

3. In filing the administrative record on the public ECF docket in this case, the Federal Defendants shall file the agreed-upon redacted version of the UMN Letter only. The Federal Defendants have already provided an unredacted version of the UMN Letter to the Court, which the Court will maintain under seal.

4. Any party making any other filing in this case that references any Confidential Information shall redact any Confidential Information from the public version of said filing.

It is so ordered.

June ____, 2025

Hon. William G. Young
Judge of the United States

June 15, 2025

Respectfully submitted.

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