



STATE OF NEW MEXICO  
SECOND JUDICIAL DISTRICT

ALAN M. MALOTT  
DISTRICT JUDGE

October 11, 2017

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RE: *Jane Doe "D", et al. v. Archdiocese of Santa Fe, et al.*,  
D-202-CV-2016-01289  
D-202-CV-2016-02939  
D-202-CV-2016-04803  
D-202-CV-2016-07012  
D-202-CV-2016-07016  
D-202-CV-2017-00492  
D-202-CV-2017-02954

**ORDER ALLOWING DISCLOSURE**

Counsel:

The Court has completed a careful *in camera* review of Plaintiffs' "Time Line" compilations concerning Fr. Jason Siglar, Fr. Arthur Perrault, and Fr. Sabine Griego as submitted to the Court on September 6, 2017. This letter shall serve as the Court's ruling on Plaintiffs' request for permission to release documents supporting the timeline compilations and Intervenor KOB-TV's request for access to those documents. A copy of this letter shall be filed in each of the pending cases.

## GENERALLY

Initially, it should be noted that Confidentiality Orders have been the subject of voluminous and contentious debate in the legal community for longer than the undersigned's 40-year tenure as a Lawyer. *See, e.g.*: Marcus, "Myth & Reality In Protective Order Litigation," 69 Cornell Law Rev 1 (1983); Erichson, "Court Ordered Confidentiality in Discovery," 81 Chi-Kent L. Rev. 357 (2006); Benham, "Dirty Secrets: The First Amendment In Protective Order Litigation," 35 Cardozo Law Rev. 1781 (2014). This Court has neither design nor ability to definitively resolve this debate.

Instead, the Court observes that Confidentiality Orders often provide a means to advance determinations in civil litigation without multiple rounds of adversarial Motion practice and attendant expenses and long delays. There are times, however, when such Orders go too far in shielding facts and court processes from public view, causing damage to both the public's interest and the public's perception of the courts. *See*: Benham, "Dirty Secrets," *supra*. In each case, the Court must balance the competing interests of the parties and the public.

It should also be noted that this decision is *not* a determination of the evidentiary soundness of any of the documents involved in the review and should not be construed as a ruling on admissibility at trial under the Rules of Evidence. Instead, this ruling addresses the balancing of First Amendment rights and the public's right to know what goes on in the courthouse against the rights of parties in litigation to both safeguard their privacy and preserve their right to a fair public trial.

## PROCEDURAL BACKGROUND

The Confidentiality & Protective Order (hereafter CPO) involved here is the product of court rulings and stipulations by the parties over a lengthy course of litigation. The CPO has been amended as the cases evolved to their present position. Historically, litigation asserting sexual abuse by Priests emerged in the late 1980's and a later "wave" of such cases emerged in 2012-2013 when some two (2) dozen new cases were filed in this Court. Eventually, this grew to more than fifty (50) cases. Early in 2014, the parties stipulated to the Undersigned serving as "discovery judge" for all these cases. Since then, the parties and the assigned Judges have maintained that discovery bifurcation as each new case has been filed; *i.e.*, D-202-CV-2016-01289 Joint Motion to Consolidate, filed 6-9-17 and Order, entered 9-6-17.

The first CPO was entered June 9, 2014, in *John Doe "2" v. Archdiocese of Santa Fe, et al.*, D-202-CV-2013-03768. That Order was amended April 3, 2015, and again on October 16, 2015. The CPO provides that the party producing documents and information may unilaterally designate them as "Confidential" so long as they have a reasonable good faith belief that such is true. CPO, Sec. 4. Once deemed "Confidential," documents and information can only be disclosed to the Court, counsel, parties, consultants for litigation and trial, and a very limited scope of participants in the litigation. CPO, Sec. 6. Any person provided access to designated Confidential material is required to read the CPO and to agree in writing to abide by its terms.

*See* CPO, Sec. 8. The CPO further provides that parties may object to the producer's designation of confidentiality (CPO, Sec. 12) or seek permission from the Court to disclose materials and information previously designated as "Confidential" to parties outside the scope of the litigation. CPO, Secs. 3 and 7. It is that disclosure process which brings us to the recent *in camera* document review and this Order. The later amendments to the CPO do not affect the provisions governing designation or those governing objections or requests for permission to disclose. Further, the Court has been unequivocal and consistent in informing the parties that, at trial of each case, **no confidentiality** would be imposed on admitted evidence, no evidence would be admitted under seal, and the courtrooms would remain open to the public.

Over the course of these lawsuits, Plaintiffs' counsel compiled timelines on several of the Priests deemed "credibly accused" of sexual misconduct. These timelines were largely based upon materials and information obtained through discovery and designated by Defendants as "Confidential" under the CPO; the "timelines" were compiled through the attorney's efforts and evidence their opinions and theories of the case. The "timelines" are not themselves defined as "confidential." CPO, Sec. 11. Plaintiff's counsel disclosed the timeline compilations to a reporter with a local TV station. In turn, the reporter presented a written request for the information and documents underlying the timelines, as well as additional information and documentation pertaining more broadly to Plaintiffs' claims. Following the terms of the CPO, Plaintiff's counsel proposed disclosure and dissemination of the timelines and supporting documents, and Defendants filed their Objections on May 19, 2017. KOB-TV sought to intervene in the litigation, asserting First Amendment interests on both its behalf and that of the public. The parties stipulated to KOB-TV's intervention.

A hearing was held on September 1, 2017, on Plaintiff's proposed disclosure and Defendants' Objections, at which all parties, including Intervenor KOB-TV, appeared through counsel and were heard by the Court. Prior to the hearing, the parties had consulted resulting in a narrowing of the materials sought for disclosure to the specific documents supporting Plaintiffs' counsels' timelines on: 1) Fr. Sabine Griego; 2) Fr. Jason Siglar, and 3) Fr. Arthur Perrault; each "credibly accused" of sexual misconduct. After hearing from all parties, the Court determined: 1) that Plaintiff should ensure all personal identifier information on victims was carefully redacted from the Timeline supporting documents in each of the Timelines – Note redaction of monetary information had been previously directed - and; 2) the Court would conduct an *in camera* review of the documents to determine which, if any, should be publicly disclosed. *See*: Order Regarding Public Disclosure entered 9-18-17.

### THE "CONFIDENTIAL" MATERIALS

Upon its *in camera* review of the Timeline notebooks, the Court determined the three (3) Timelines are in essentially the same format. First, Plaintiff's counsels' summary timeline appears. Second, in separately numbered and tabbed subsections, Plaintiff provides those documents which they assert support their claims. Most of the documents were obtained through discovery in these cases and were, pursuant to the CPO, designated as "Confidential" by Defendants when they were produced. Documents are frequently used repetitively in the Timelines, as supportive of more than one fact or occurrence. The Victims' identities have been

safeguarded as has information about amounts paid to, or other relief obtained by, victims in previous lawsuits. Finally, Defendants did not object to disclosure of some of the documents previously designated "Confidential." See e-mail from Mr. Warburton September 8, 2017, attached as Exhibit A.

The materials may be divided into three (3) categories:

- a. Pleadings, deposition testimony, investigative reports, and settlement proceedings in both past and pending litigation alleging improper sexual conduct by Fr. Siglar, Fr. Griego, and Fr. Perrault.
- b. Communications by and between various Church personnel in the Archdiocese of Santa Fe and other Archdioceses nationally, including at least three (3) Archbishops of the Archdiocese of Santa Fe over the years. The communications cover both mundane personnel information regarding the three (3) Priests involved as well as specific information regarding their behavior towards young boys and girls in their parishes as well as their superiors' knowledge of same, and how that information was handled by Church officials.
- c. "Words on a page" which are simply documents containing random statements or information which may be related to each of the three (3) priests outlined in the Timelines but which contain neither dates, attribution, signatures, or any other indicia of fact or reliability.

#### DEFENDANTS' OBJECTIONS TO DISCLOSURE

As noted, Defendants filed their Objections to Plaintiffs' proposed disclosure on May 19, 2017. By the time of the hearing on September 1, 2017, the scope of documents sought had been significantly narrowed by agreement. On September 8, 2017, Defendants also waived objection to disclosure of some of the documents contained in the Timelines. See: Warburton email 9-8-17.

Defendants did not specifically object to each individual document. Instead, Defendants assert generally that disclosure of the documents designated as "Confidential" would violate their rights to a fair trial, would intrude on the privacy of past victims and their family members, that any attempts to protect those privacy interests would be unduly burdensome, expensive, and distracting for Defendants, that disclosure is not tailored to identify actual or potential trial witnesses and would not further trial preparation, that any *in camera* review would be unduly burdensome for the Court, and, finally, that the disclosure sought does not fairly balance Defendants' rights to a fair trial with the First Amendment rights of Intervenor KOB-TV and the public.

The Court dismisses Defendants' objection that the Court would be required to expend undue amounts of time and effort in conducting its *in camera* review. Such activity is simply a

part of the Court's duties and responsibilities in providing a fair and appropriate forum for the determination of the claims and defenses in these cases; this is rarely an 8 a.m.-5 p.m. endeavor. In fact, the Court spent approximately 20 hours in review of the three (3) Timelines and supporting documentation. Given the significance of the issues in these cases, such expenditure was neither burdensome nor unduly time consuming.

Similarly, the Court dismisses Defendants' assertions that preparation of documents for disclosure would unduly burden Defendants and distract from their trial preparation and that such disclosure would harm the privacy interests of past victims and their families. The documents in question have already been produced by Defendants during the course of these cases and already reflect redactions deemed appropriate under the CPO to assure that neither personal identifiers nor monetary information is released. The work has been done. The privacy interests of victims and their families have been adequately protected.

In considering Defendants' objections that disclosure of specific information and documentation would irreparably harm their rights to a fair trial, the Court notes the specific disclosure has been significantly narrowed to the three (3) Timelines discussed above, not the "over 100,000 pages of documents to plaintiffs over the past four years" as Defendants previously perceived. *See*: Defendant Archdiocese's Objections, pp. 4-6, May 19, 2017.

Moreover, that members of the priesthood engaged in sexually inappropriate conduct with young boys and girls in their parishes is no longer denied by the Catholic Church nor unknown to the public at large. There have been hundreds of cases litigated nationally; there have been books published and movies made. The Court in fact, takes notice that Church leadership, including Pope Francis himself, has publicly admitted that clerical abuse occurred and has called for the Church to admit its mistakes and take responsibility for them. Finally, this is not the first time a Court has directed documents alleged to be "Confidential" in this type of litigation should be publicly disclosed. *See*: Benham, "Dirty Secrets: The First Amendment in Protective Order Litigation," *supra*.

Like any case where pre-trial publicity has arisen – hardly infrequent in this day of the "24/7/365 news cycle" - it may be necessary for the Court to employ extraordinary measures such as an expanded panel of potential jurors, expanded voir dire opportunities, and careful instruction to the jurors in order to minimize the impact of any such publicity. The issue is whether pre-trial information would adversely impact a potential juror's ability to view the evidence at trial and decide impartially upon that evidence. The issue is not, as Defendants assert, whether a potential juror "did not pick up a newspaper or watch the evening news" before the trial. The Court finds Defendants' objection based on alleged "irreparable harm" to their fair trial rights unpersuasive.

Defendants also object that disclosure of the subject documents and information is not necessary for, and does not contribute to, the parties' identification of witnesses or other preparation for trial as required in Section 10 of the CPO. While the CPO was imposed to enhance the parties' preparation for trial of these cases without recurrent, extensive, and expensive Motion practice, and to further the possibilities of pre-trial resolution, the Court has



always unequivocally instructed the parties that there would be no "Confidentiality" at trial. The initial June 2014 CPO has been twice amended to allow for limited disclosure as these cases have developed including the actual identity of the "John Doe" plaintiffs and the disclosure of the specifics of their cases to potential witnesses, including family members, before they were interviewed or deposed. The CPO specifically anticipated amendments and also set out a procedure whereunder the producers' unilateral designation of materials as "Confidential" could be challenged with the Court retaining discretion to determine whether Defendants' unilateral determination remains appropriate. CPO, Sec. 16.

It is important to note the disclosures under consideration are limited in scope to the career timelines of "credibly accused" Priests and personal identifiers and specific details of settlement agreements remain protected. The names of priests credibly accused of sexual misconduct and the dates, locations, and duration of their assignments are facts specifically exempted from designation as "Confidential" under Section 4 of the CPO. Defendants' insistence that the only permissible use of documents and information produced under the CPO is for trial preparation is also unpersuasive. *Krahling v. Exec. Life Ins. Co.*, 1998-NMCA-71, 959 P.2d 562.

Defendants' final objection asserts the proposed disclosure of the three (3) Timelines fails to strike an appropriate balance between Defendants' rights to a fair trial and Freedom of the Press as embodied in the First Amendment. In *State ex. rel. New Mexico Press Associates v. Kaufman*, 1982-NMSC-060, 648 P.2d 300, the New Mexico Supreme Court determined that freedom of the press is not absolute, but must be balanced against a defendant's right to a fair trial. The Court has addressed above Defendants' claim that disclosure of the Timeline notebooks will cause "irreparable harm" to their right to a fair trial and has determined that objection is unpersuasive, largely because the public is already broadly aware of the claims of sexual misconduct by parish priests and that various tools remain for this Court to protect the parties' rights to a fair trial in each specific case.

In further balancing Defendants' fair trial rights with Constitutional concerns, the Undersigned observes that use of confidentiality Orders has increased substantially in recent years, and conversely notes the clear public policy of this jurisdiction in favor of greater transparency in Court processes, not less. *E.g.*, 2011, 2013, and 2016 Amendments to Rule 1-079 NMRA. This balancing is at the very core of the broader national debate over Confidentiality Orders.

Courts routinely issue these orders in cases involving mundane and sensational matters alike. In many cases, the parties on both sides of the case simply agree to the order. And even in cases where one side disputes the order, courts eager to streamline discovery and avoid future fights over confidentiality push stipulations and rubber stamp proposed orders. As a result, much of pre-trial discovery takes place beyond public view.

For those who view the Courts' function as exclusively or primarily a

system to resolve private disputes, this system is apropos. The reality and history of the American civil court system, however, indicate that courts play a substantial public interest role in addition to their role in resolving disputes. Indeed, some of the most important public questions facing society have been decided as so called "private" disputes between litigants. From ending segregation to providing equality to married gay couples, to policing the sexual assault of children, to repudiating dangerous products that put profits ahead of safety, the courts play a central role in expressing public values.\*\*\*Protective orders undermine court transparency.

Benham, "Dirty Secrets...", *supra* at 1784-5.

### CONCLUSION

Public disclosure of the limited documentation and information contained in the three (3) Timeline notebooks presented, does not unduly or improperly impinge upon the victims' privacy rights since identification of the victims is redacted. Nor will such disclosure unfairly or improperly impair or impede Defendants' rights to a fair trial of these cases as balanced against the significance of the issues to the public viewed in light of the clear public policy towards greater judicial transparency. *Krahling, supra; State ex. rel NM Press Assoc., supra.*

Plaintiffs' request, and that of Intervenor KOB-TV, for disclosure of the documents supporting the Timelines should be granted. Defendants' objections should be overruled.

Notwithstanding this general conclusion, those documents which consist of "words on a page" as discussed above provide no indicia whatsoever as to creation, date, authenticity, reliability, or accuracy and have no greater legal or social value than random scrawls on public restroom walls. They provide no real value balanced against their inflammatory potential. Those documents have been removed from the Timeline materials and will not be disseminated or disclosed.

### RULING

The three (3) Timeline notebooks on Fr. Sabine Griego, Fr. Arthur Perrault, and Fr. Jason Siglar may be disseminated and publicly disclosed except for the material characterized as "words on a page" which shall remain confidential pursuant to the CPO.

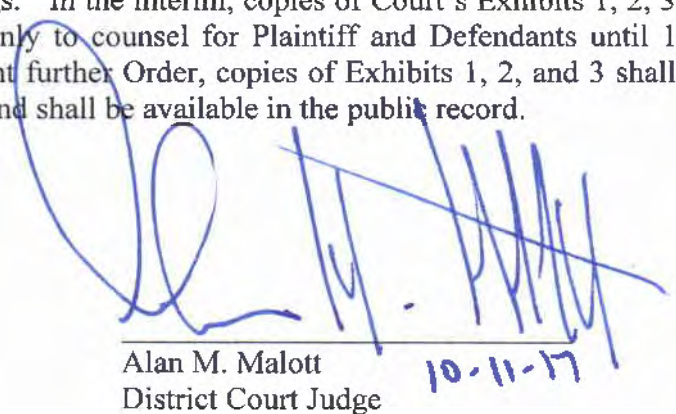
In order to facilitate its Order, and foster a clear record in this matter for any review, the Court has copied the three (3) Timeline notebooks, excluding the "words on a page" material, and will make a copy available to Plaintiffs' counsel, Defendants' counsel, and Intervenor's counsel upon the effective date of this Order. One set of the Timeline notebooks has been designated as Court's Exhibit 1 (Perrault), Court's Exhibit 2 (Siglar), and Court's Exhibit 3 (Griego), and these exhibits have been filed under an Order For Temporary Sealing of Documents. That Order shall expire of its own terms on the date this Order For Disclosure

becomes effective. A copy of the Order to File Under Temporary Seal is attached hereto as Exhibit B.

The Court has also filed the aforementioned "words on a page" material under seal pursuant to Rule 1-079 NMRA. Those materials will continue as "Confidential" materials under the CPO and Rule 1-079 NMRA and are filed as Court's Exhibit 1A (Perrault), Court's Exhibit 2A (Siglar), and Court's Exhibit 3A (Griego). These materials shall be accessible pursuant to the CPO only. A copy of the Order to File Under Seal is attached as Exhibit C.

Recognizing both the legal and social significance of this ruling, the Court hereby defers the effective date of this Order until 1:00 p.m., October 18, 2017, to allow the parties' consideration of further proceedings. In the interim, copies of Court's Exhibits 1, 2, 3, 1A, 2A, and 3A shall be made available only to counsel for Plaintiff and Defendants until 1:00 p.m., October 18, 2017; thereafter, absent further Order, copies of Exhibits 1, 2, and 3 shall be made available to counsel for KOB-TV and shall be available in the public record.

IT IS SO ORDERED.



Alan M. Malott  
District Court Judge

AMM/slg  
c Court files



From: **albdiv15** <albdiv15proposedtxt@nmcourts.gov>  
Subject: Fwd: Timeline document disclosure for Perrault, Sigler, and Griego  
Date: September 12, 2017 at 1:36 PM  
To: alan <alan@swcp.com>

OK to file  
CU 16 1289, et al  
Ann  
10-10-17



----- Forwarded message -----

From: **JoAnne Trujillo** <joanne@bhallfirm.com>  
Date: Tue, Sep 12, 2017 at 12:04 PM  
Subject: Fwd: Timeline document disclosure for Perrault, Sigler, and Griego  
To: albdiv15 <albdiv15proposedtxt@nmcourts.gov>  
Cc: Robert Warburton <rpw@stelznerlaw.com>, Sara Sanchez <SSanchez@stelznerlaw.com>, Luis Stelzner <LGS@stelznerlaw.com>, Gretchen Byrne <GByrne@stelznerlaw.com>, Brad Hall <brad@bhallfirm.com>, Levi Monagle <levi@bhallfirm.com>, "Lisa P. Ford" <lford@swcp.com>

e-filed  
OCT 11 2017

Dear Judge Malott: Below please find an email from attorney Robert Warburton regarding his non-objection of the listed tabs from the timeline binders that were delivered to your office yesterday morning. Thank you. JoAnne L. Trujillo, Legal Assistant to Brad D. Hall

Begin forwarded message:

From: Robert Warburton <RPW@stelznerlaw.com>  
Subject: Timeline document disclosure for Perrault, Sigler, and Griego  
Date: September 8, 2017 at 10:05:58 AM MDT  
To: Brad Hall <brad@bhallfirm.com>, "Trujillo JoAnne (joanne@bhallfirm.com)" <joanne@bhallfirm.com>, "Levi Monagle (levi@bhallfirm.com)" <levi@bhallfirm.com>  
Cc: Luis Stelzner <LGS@stelznerlaw.com>, Sara Sanchez <SSanchez@stelznerlaw.com>, "Tony Salgado" <TSalgado@asfcca.org>

Brad,

You may inform Judge Malott that the Archdiocese does not object to disclosure of the documents behind the following tabs in your timeline binders for Frs. Perrault, Sigler and Griego.

Fr. Perrault: Tab Nos. 1, 2, 3, 4, 7, 8, 27, 28, 34, 35, 41, 42, 47, 52, 55, 70, 75, 80

Fr. Sigler: Tab Nos. 1, 2, 5, 9, 11, 12, 13, 14, 15, 16, 17, 50, 51, 56, 57, 58, 60, 61, 62, 81

Fr. Griego: Tab Nos. 1, 6, 7, 9, 10, 11, 12, 19, 21, 24, 25, 27, 32, 40, 49, 53, 56, 60, 61

Bob

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CONFIDENTIALITY NOTICE: The information contained in this e-mail message is attorney/client privileged and may contain privileged or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, immediately notify the sender by telephone at 505-938-7770 and return the original message to the sender and Stelzner, Winter, Warburton, Flores, Sanchez & Dawes, P.A.

---

**Robert P. Warburton**  
Stelzner, Winter, Warburton, Flores, Sanchez & Dawes, P.A.

EXHIBIT A

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**STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
SECOND JUDICIAL DISTRICT COURT**

JANE DOE "E,"  
Plaintiff,

*e-filed*  
OCT 11 2017

v.

NO: D 202 CV 2016-02939

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JOHN DOE "61,"  
Plaintiff,

v.

NO: D 202 CV 2016-07016

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JOHN DOE "63,"  
Plaintiff,

v.

NO: D 202 CV 2016-04803

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JANE DOE "D,"  
Plaintiff,

v.

NO: D 202 CV 2016-01289

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

EXHIBIT B

JOHN DOE "62,"  
Plaintiff,

v.

NO: **D 202 CV 2016-07012**

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JOHN DOE "65,"  
Plaintiff,

v.

NO: **D 202 CV 2017-00492**

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JOHN DOE "66,"  
Plaintiff,

v.

NO: **D 202 CV 2017-02954**

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

**ORDER TO FILE UNDER TEMPORARY SEAL**

THIS MATTER having come before the Court *sua sponte* in connection with Plaintiffs' Request To Allow Disclosure and Intervenor KOB-TV's Motion; the Court having conducted an *in camera* review of certain documents produced in these cases and deemed "Confidential" under a Confidentiality and Protective Order entered in the above captioned cases; the Court having issued an Order concerning those documents which includes those documents addressed herein; and the Court being otherwise fully informed;

THE COURT FINDS it has jurisdiction over the parties and subject matter; that the Court has determined in its Order Allowing Disclosure that certain documents designated as "Confidential" in these cases pursuant to a Confidentiality and Protective Order should no longer be kept secret and confidential but should, instead, be a part of the public record in these cases; that the subject matter of these cases, and the Court's Order Allowing Disclosure, address significant matters of public interest as well as individual parties' rights to privacy and a fair trial; that in order to facilitate appellate review of the Order Allowing Disclosure, good cause exists to file the materials which are to be disclosed under an Order for Temporary Sealing until the effective date of the Order Allowing Disclosure; that an Order temporarily sealing such documents is the least restrictive means of balancing the public's right to access information and documentation involved in Court proceedings with the individual parties' rights to privacy and a fair public trial; and that the Court's Order Allowing Disclosure is incorporated herein as though set forth in full.

WHEREFORE IT IS ORDERED:

1. Court's Exhibit 1, Court's Exhibit 2, and Court's Exhibit 3 shall be filed under seal.
2. This Order shall dissolve of its own terms at 1:00 p.m., October 18, 2017, at which time the materials in Exhibits 1-3, inclusive, shall be deemed a part of the public record.



ALAN M. MALOTT  
DISTRICT COURT JUDGE - Div. XV

10-11-17



Copies of the foregoing were e-mailed on date of e-filing to parties listed:

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Albuquerque, NM 87103-1607

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
SECOND JUDICIAL DISTRICT COURT

*e-file*  
OCT 11 2017

JANE DOE "E,"  
Plaintiff,

v.

NO: D 202 CV 2016-02939

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JOHN DOE "61,"  
Plaintiff,

v.

NO: D 202 CV 2016-07016

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JOHN DOE "63,"  
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v.

NO: D 202 CV 2016-04803

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JANE DOE "D,"  
Plaintiff,

v.

NO: D 202 CV 2016-01289

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

EXHIBIT C

JOHN DOE "62,"  
Plaintiff,

v.

NO: **D 202 CV 2016-07012**

ARCHDIOCESE OF SANTA FE, et al.,  
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JOHN DOE "65,"  
Plaintiff,

v.

NO: **D 202 CV 2017-00492**

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

JOHN DOE "66,"  
Plaintiff,

v.

NO: **D 202 CV 2017-02954**

ARCHDIOCESE OF SANTA FE, et al.,  
Defendants.

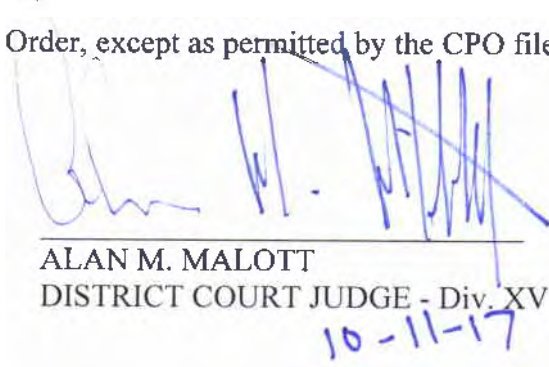
**ORDER TO FILE UNDER SEAL**

THIS MATTER having come before the Court *sua sponte* in connection with Plaintiffs' Request To Allow Disclosure and Intervenor KOB-TV's Motion; the Court having conducted an *in camera* review of certain documents produced in these cases and deemed "Confidential" under a Confidentiality and Protective Order entered in the above captioned cases; the Court having issued an Order Allowing Disclosure concerning those documents which includes those documents addressed herein; and the Court being otherwise fully informed;

THE COURT FINDS it has jurisdiction over the parties and subject matter; that certain documents designated as “words on a page” in the Court’s Order Allowing Disclosure should not be disclosed or disseminated publicly but should remain “Confidential” in accordance with the Confidentiality and Protective Order; that good cause exists to make those “words on a page” documents a part of the record herein under seal to allow and facilitate appellate review of the Court’s Order Allowing Disclosure; that filing the “words on a page” documents under seal is the least restrictive means of fairly balancing the parties’ fair trial rights against the public’s right to access information and documentation involved in Court proceedings; and that the Court’s Order Allowing Disclosure should be incorporated herein as though set forth in full.

WHEREFORE IT IS ORDERED:

Court’s Exhibit 1A, Court’s Exhibit 2A, and Court’s Exhibit 3A shall be filed under seal and shall not be accessible, absent further Order, except as permitted by the CPO filed in these cases.



ALAN M. MALOTT  
DISTRICT COURT JUDGE - Div. XV  
10-11-17

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