IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA AND LEGISLA CHARLESTON, SC CHARLESTON DIVISION		
CHARLE		2015 OCT 22 A 9: 00
ATORVASTATIN)) MDL No. 2:14-n	ın-02502-RMG
KETING, SALES PRODUCTS) CASE MANAG	EMENT ORDER NO. 48

IN RE: LIPITOR (ATORVASTATIN CALCIUM) MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

This Order relates to all cases.

The Pfizer's Motions to Seal & Redact (Dkt. Nos. 1162, 1167)

Pfizer has moved for certain documents to be filed under seal or redacted. Most of these documents are exhibits to Pfizer's motion in limine to exclude evidence of foreign Lipitor labeling and regulatory actions. (Dkt. No. 1162). Pfizer also asks to redact its reply brief regarding expert testimony. (Dkt. No. 1167). The motions to seal or redact were docketed on ECF in a manner that discloses their nature as a motion to seal, which provided public notice of the motions, and no objections have been filed. Each motion also explains why less drastic alternatives to sealing are not appropriate, and the Court agrees. To the extent that redaction is available as an alternative, redacted documents have been filed instead.

The Court finds that, for the reasons stated in Pfizer's motions, (Dkt. Nos. 1162, 1167), the public's right of access to these documents is outweighed by the competing interests of harm to Pfizer of public disclosure of its confidential research, development or commercial information and the potential to chill corporate deliberations and discussions regarding the safety and efficacy of medications. *See Ashcraft v. Conoco, Inc.*, 218 F.3d 288, 302 (4th Cir. 2000)

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(describing procedures for a district court to follow when sealing judicial documents).

Therefore,

Pfizer's Motions to Seal & Redact (Dkt. Nos. 1162, 1167) are **GRANTED**. The Court approves the redacted documents (Dkt. Nos. 1163-2, 1163-3, 1163-7, 1163-8, 1163-9, 1163-10, 1163-11, 1168) as filed. Pfizer is directed to file Exhibits 1, 12, and 13 to Dkt. No. 1163 under seal within five (5) days of the date of this Order by using the "sealed document" event on ECF and linking the exhibits to their original motion.

AND IT IS SO ORDERED.

Richard Mark Gergel

United States District Court Judge

October <u>L</u>, 2015 Charleston, South Carolina