FOR THE DISTRIC	ATES DISTRICT COURT T OF SOUTH CAROLINA TON DIVISION D
IN RE: LIPITOR (ATORVASTATIN CALCIUM) MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION) FROM The second se

Pfizer's Motions to Seal (Dkt. Nos. 969, 971, 973, 976, 1003, 1005, 1007 and 1009)

Pfizer has filed motions for leave to file certain exhibits under seal and to file other exhibits redacted. These documents are exhibits to Pfizer's motions to exclude certain expert testimony and Pfizer's motion for summary judgment in the *Daniels* case. The motions 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 exhibits have been filed instead.

The Court finds that, for the reasons stated in Pfizer's motions, the public's right of access to these documents is outweighed by the competing interests of patient safety, 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) (describing procedures for a district court to follow when sealing judicial documents). Therefore,

Pfizer's motions to seal (Dkt. Nos. 969, 971, 973, 976, 1003, 1005, 1007 and 1009) are **GRANTED**. The Court approves the redacted exhibits as filed.

IT IS ORDERED THAT Pfizer file the applicable exhibits under seal within five (5) days of the date of this Order. In doing so, Pfizer can use the "sealed document" event on ECF and link the exhibits to its original motion. For example, Exhibits 28, 29, 31, and 33 to Pfizer's Motion to Exclude Expert Testimony and Claims that Lipitor is Not Effective for and Should Not be Approved for Primary Prevention in Women should be filed using the "sealed document" event and linked to Dkt. No. 970.

AND IT IS SO ORDERED.

Richard Mark Gergel United States District Court Judge

August <u>76</u>, 2015 Charleston, South Carolina