

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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

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DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

MDL No. 2:14-mn-02502-RMG
CASE MANAGEMENT ORDER NO. 47
This Order relates to all cases.

The Pfizer's Motions to Seal & Redact (Dkt. Nos. 1089, 1114, 1115)

Pfizer has moved for certain exhibits to be filed under seal or redacted. One of these documents is an exhibit to Pfizer's reply in support of its motion to exclude certain testimony. (See Dkt. No. 1089, 1090). Pfizer also asks to redact its reply brief to the extent it discusses sealed or redacted exhibits. (Dkt. No. 1089 at 1). The remaining documents are exhibits to Plaintiffs' responses to Pfizer's motions to exclude certain expert testimony. (See Dkt. Nos. 1094, 1095). 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 exhibits have been filed instead.

The Court finds that, for the reasons stated in Pfizer's motions, (Dkt. Nos. 1089, 1114, 1115), the public's right of access to these documents is outweighed by the competing interests harm to Pfizer of public disclosure of its confidential research, development or commercial

information. *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 & Redact (Dkt. Nos. 1089, 1114, 1115) are **GRANTED**. The Court approves the redacted documents (Dkt. Nos. 1090, 1095-6, 1095-20) as filed. Pfizer is directed to file Exhibit 58 to Dkt. No. 1090 under seal within five (5) days of the date of this Order. Plaintiffs are directed to file Exhibit A to Dkt. No. 1094 under seal within (5) days of the date of this order. In doing so, the parties should use the "sealed document" event on ECF and link the exhibits to their original motion.

AND IT IS SO ORDERED.



Richard Mark Gerge
United States District Court Judge

October 7, 2015
Charleston, South Carolina