

NOTICE REGARDING SEALED DOCUMENTS CONTAINING HIGHLY SENSITIVE INFORMATION

After the recent disclosure of widespread cybersecurity breaches of both private sector and government computer systems, federal courts are immediately adding new security procedures to protect highly sensitive documents filed with the courts.

In this Court, highly sensitive documents (“HSDs”) are defined as documents involving: foreign sovereign interests; criminal activity related to cybersecurity, intellectual property, or trade secrets; terrorism; investigation of public officials; potential negative impact on national security or foreign relations of the United States; and sensitive commercial information likely to be of interest to foreign powers.

The following types of documents generally are not considered HSDs: bank records; Social Security records; health records; writs; settlement agreements; and valuation reports. Sealed filings in most bankruptcy cases and adversary proceedings are not sufficiently sensitive to require HSD treatment and may continue to be sealed in CM/ECF as provided in the local rules of this Court.

Any party wishing to file sealed documents that they believe meets the definition of HSD as set forth above may file a motion seeking the Court’s approval to designate a document as an HSD. The motion and order must be filed and uploaded electronically, as set forth in Local Rule 5005-6. The copy of the proposed HSD must be filed in paper format with the Clerk’s office.

Any questions as to this notice, or how to proceed under this notice, should be directed to the Clerk’s Office at (602) 682-4000 or (800) 556-9230.