

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

IN RE: CAPITAL ONE CONSUMER )  
DATA SECURITY BREACH LITIGATION ) MDL No. 1:19md2915 (AJT/JFA)  
\_\_\_\_\_ )

This Document Relates to the Consumer Cases  
\_\_\_\_\_

PRETRIAL ORDER #12

On March 2, 2020, the plaintiffs filed a motion to file portion of document under seal. (Docket no. 333). Along with this motion, plaintiffs filed a memorandum in support and a notice of filing. (Docket nos. 334, 335). As discussed in the memorandum, plaintiffs filed this motion to seal portions of paragraphs 74 and 77 in plaintiffs' representative consumer class action complaint because the Capital One defendants designated that material as confidential pursuant to the terms of the stipulated protective order entered in this case. (Docket no. 334). As stated in Local Civil Rule 5 and referenced in the Rule 16(B) scheduling order (Docket no. 304), the Capital One defendants were required to file a supporting memorandum within seven days detailing why the information that they designated as confidential should be allowed to be filed under seal. More than seven days have passed, and no supporting memorandum has been filed.

Having reviewed the portions of paragraphs 74 and 77 in plaintiffs' representative consumer class action complaint and there being no supporting memorandum detailing why that information should remain under seal, it is hereby

ORDERED that the motion to seal is denied and plaintiffs shall file an unredacted version of the representative consumer class action complaint in the public record.

The Clerk is requested to docket this order in the lead case (1:19md2915) as provided in PTO-1.

