

Andrew Pieper

From: Victoria Katz <victoria.katz@aderant.com>
Sent: Monday, October 13, 2025 12:18 PM
To: MND MnFedRules
Subject: Proposed amendment to Local Rule 5.6

CAUTION - EXTERNAL:

Good afternoon,

We are writing to comment on the proposed amendment to Local Rule 5.6, currently out for comment until October 24, 2025.

Local Rule 5.6(d) is entitled, "Procedure for Filing Documents in Connection with LR 7.1 or LR 72.2 Under Temporary Seal," and Local Rule 5.6(d)(1) provides for the filing of a document under seal "in connection with a motion under LR 7.1 or an objection under LR 72.2." [Emphasis added.]

As proposed, Local Rule 5.6(d)(4) says, "Within 21 days after a final decision on the underlying motion is filed, including a decision on any appeals or objections to the district judge, the parties must file a completed Joint Motion Regarding Continued Sealing Form." [Emphasis added.]

The language "the underlying motion" is ambiguous. Does it refer to the original motion filed under Local Rule 7.1, to which the document filed under temporary seal relates? Further, does the language "or objections to the district judge" mean that triggering event for the deadline to file the Joint Motion Regarding Continued Sealing Form regarding a document related to a Local Rule 72.2 objection is the filing of a final decision on the Local Rule 72.2 objection?

To avoid any confusion, we respectfully request that the Court clarify the triggering events for the deadline to file the Joint Motion Regarding Continued Sealing Form with respect to documents related to both Local Rule 7.1 motions and Local Rule 72.2 objections. For example, Local Rule 5.6(d)(4) might be revised to say, "Within 21 days after a final decision on the *Local Rule 7.1 motion or Local Rule 72.2 objection* is filed, including a decision on any appeals, the parties must file a completed Joint Motion Regarding Continued Sealing Form."

In addition, we note that these proposed amendments add a new paragraph, Local Rule 5.6(d)(3), and renumber the former Local Rule 5.6(d)(3) as Local Rule 5.6(d)(4). However, there is not a corresponding proposal to revise Local Rule 5.6(f). The first sentence of Local Rule 5.6(f) continues to state, "Within 21 days after entry of a magistrate judge's order denying continued sealing in response to a motion under LR 5.6(d)(3) or LR 5.6(e)(3), a party or nonparty may file a motion for further consideration by the magistrate judge." It appears that this sentence should now refer to "LR 5.6(d)(4)."

Thank you for your time and consideration.

Sincerely,

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