

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**FENG TAO,**

**Defendants.**

**Case No. 19-20052-JAR**

**NOTICE OF UNSEALING AND ORDER**

The Court filed today's Memorandum and Order ruling on the Government's motion for Fed. R. Crim. P. 15 depositions under seal given its references to medical information provided in documents filed under seal. This status is temporary until the Court can determine the extent to which its order should be redacted, if at all. Federal courts "recognize a general right to inspect and copy public records and documents, including judicial records and documents."<sup>1</sup> The Court, however, does have "discretionary power to control and seal, if necessary, records and files in its possession."<sup>2</sup> "In exercising this discretion, [the court] weigh[s] the interests of the public, which are presumptively paramount, against those advanced by the parties."<sup>3</sup> "The party seeking to overcome the presumption bears the burden of showing some significant interest that outweighs the presumption."<sup>4</sup>

Consistent with these standards, the Court adopts the following procedure:

---

<sup>1</sup> *Nixon v. Warner Commc 'ns, Inc.*, 435 U.S. 589, 597 (1978).

<sup>2</sup> *Crystal Grower's Corp. v. Dobbins*, 616 F.2d 458, 461 (10th Cir. 1980).

<sup>3</sup> *Id.*; *United States v. Apperson*, 642 F. App'x 892, 899 (10th Cir. 2016).

<sup>4</sup> *Mann v. Boatright*, 477 F.3d 1140, 1149 (10th Cir. 2007).

- (1) The parties shall forthwith meet and confer to determine whether any part of the Court's Memorandum and Order should be redacted under the standards set forth above.
- (2) By no later than March 21, 2022, the parties shall jointly file a motion for leave to file a redacted version of the Court's Memorandum and Order, explaining why the proposed redactions are necessary, and attaching a proposed redacted version for the Court's review. The parties also shall email a copy of the proposed order to [ksd\\_robinson\\_chambers@ksd.uscourts.gov](mailto:ksd_robinson_chambers@ksd.uscourts.gov).
- (3) After reviewing the parties' motion and proposed order, the Court will rule on the request. If the parties do not file a motion for leave to seal as set forth above on or before March 21, 2022, the Court will unseal the entire Memorandum and Order.

**IT IS SO ORDERED.**

Dated: March 9, 2022

S/ Julie A. Robinson  
JULIE A. ROBINSON  
UNITED STATES DISTRICT JUDGE