

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT INDIANA**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Case No. <u>1:12-cv-01117-WTL-MJD</u>
)	
v.)	
)	
MICHAEL HARRISON,)	
)	
Defendants.)	
)	

**PLAINTIFF’S REPLY IN FURTHER SUPPORT OF ITS MOTION TO MAINTAIN
DOCKET NO. 201 UNDER SEAL**

Not once has defense counsel so much as acknowledged Paragraph 9 of the protective order which Plaintiff has repeatedly demonstrated that he violated. Because the information published by defense counsel remains formally unchallenged under Paragraph 9, the information remains confidential and cannot be published to the public. Therefore, docket entry 201 must remain under seal.

Defendant’s Response in Opposition to Plaintiff’s Motion to Maintain Docket No. 201 Under Seal only makes two arguments: (1) that the information he published should not be maintained under seal because it is not confidential; and (2) Plaintiff’s Motion to Maintain Docket No. 201 Under Seal did not include a supporting brief in violation of L. Civ. R. 7-1(b)(2). As to defense counsel’s first argument, compliance with Paragraph 9 is a necessary prerequisite to information being released from confidentiality under the terms of this Court’s order. Arguments as to why defense counsel believes the information is not confidential are irrelevant to the issues at hand because the Court is not addressing a Paragraph 9 challenge, but instead, defense counsel’s violations of the protective order and failure to abide by Paragraph 9. As to defense counsel’s second argument, Plaintiff clearly supported its motion with a brief. *See*

CM/ECF 240. Defendant's assertion to the contrary is blatantly wrong.

For the foregoing reasons, Plaintiff respectfully requests this Court grant the subject Motion.

DATED: October 22, 2014.

Respectfully submitted,

NICOLETTI LAW, PLC

By: /s/ Paul J. Nicoletti
Paul J. Nicoletti, Esq. (P44419)
33717 Woodward Avenue, #433
Birmingham, MI 48009
Tel: (248) 203-7800
E-Fax: (248) 928-7051
Email: paulnicoletti@gmail.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Paul J. Nicoletti