

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ACLU OF TENNESSEE, INC.,)	
)	
Intervening Plaintiff,)	
)	Case No. 2:17-cv-2120-JPM-jay
v.)	
)	
CITY OF MEMPHIS, TENNESSEE,)	
)	
Defendant.)	

ORDER TO SHOW CAUSE WHY THE TRANSCRIPT FROM AUGUST 27, 2019 IN-CAMERA CONFERENCE SHOULD NOT BE PREPARED, DOCKETED, AND MADE AVAILABLE TO THE PUBLIC

The Court held a hearing on the Monitor’s Report on August 27, 2019. (ECF No. 222.) During the hearing, Defendant City of Memphis requested an in-camera conference with the Court to consider certain time sensitive, security related matters. (Id.) The Court granted the City’s request and an in-camera conference was held immediately following the hearing. (ECF No. 225.) In attendance were counsel for Plaintiff ACLU-TN, counsel for Defendant City of Memphis, and members of the monitoring team. (ECF No. 225.)

Because there appears to no longer be a compelling reason to maintain the City’s requested confidential status as to the proceeding, and because the law strongly favors public access to all court proceedings, notice is hereby given that the Court will consider the question of whether the transcript should be prepared and all or a portion of it be unsealed. See Press-Enterprise Co. v. Superior Court of California, Riverside County, 464 U.S. 501, 510 (finding that sealing the entire transcript of voir dire proceedings infringed upon First Amendment

rights); see also Brown & Williamson v. Tobacco Corp. v. FTC, 710 F.2d 1165, 1179–80 (6th Cir. 1983) (recognizing the long-standing right of public access to civil trial proceedings, especially in matters “affecting third parties or the general public,” such as civil rights cases). The parties are therefore ORDERED to show cause by October 15, 2019, why the proceeding in the in-camera conference held on August 27, 2019 should not be transcribed and all or a portion of it be unsealed.

SO ORDERED, this 2nd day of October, 2019.

/s/ Jon P. McCalla
JON P. McCALLA
UNITED STATES DISTRICT JUDGE