

Opinions and Orders of Previous Years

Subject: Opinions and Orders of Previous Years
Case Number: SA CR 99-77-GLT

Title: United States of America v. John David Ward, et al., - Denial of Newspapers' Motion for Access to Sealed Court Records
Date Posted: 01/06/2000

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	Case No. SA CR 99-77-GLT
)	
Plaintiff,)	
vs.)	ORDER DENYING
)	COUNTERDEFENDANT'S MOTION TO
JOHN DAVID WARD, et al.,)	DISMISS COUNTERCLAIM
)	
Defendants.)	
)	

After the January 4, 2000, hearing on Newspapers' motion for access to certain sealed court records, the Court has reviewed the Government's additional factual submission presented in camera and under seal. The Newspapers' motion is DENIED without prejudice to renewing the motion shortly before trial. The Court has made detailed written findings and conclusions supporting this ruling, which are filed under seal.

In summary, the Court finds a compelling interest, as stated in detail in the Court's sealed findings, exists in this case, and will continue to exist until shortly before trial; there is a substantial probability that, in the absence of closure, the compelling interest would be harmed; and, no alternative method would adequately protect the compelling interest. The facts of this case present exceptional circumstances, as detailed in the Court's sealed

findings. The Newspapers' right of access to information is here outweighed by the compelling interest found to exist in this case. The Court's sealed finding of a compelling interest is supported by specific factual evidence. The Court's order is as narrowly drawn as is appropriate in this case.

DATED: January 4, 2000.

/s/
GARY L. TAYLOR
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs. JOHN DAVID WARD, et al.,
Defendants.) Case No. SA CR 99-77-GLT ORDER DENYING COUNTERDEFENDANT'S MOTION TO DISMISS COUNTERCLAIM

After the January 4, 2000, hearing on Newspapers' motion for access to certain sealed court records, the Court has reviewed the Government's additional factual submission presented in camera and under seal. The Newspapers' motion is DENIED without prejudice to renewing the motion shortly before trial. The Court has made detailed written findings and conclusions supporting this ruling, which are filed under seal. In summary, the Court finds a compelling interest, as stated in detail in the Court's sealed findings, exists in this case, and will continue to exist until shortly before trial; there is a substantial probability that, in the absence of closure, the compelling interest would be harmed; and, no alternative method would adequately protect the compelling interest. The facts of this case present exceptional circumstances, as detailed in the Court's sealed findings. The Newspapers' right of access to information is here outweighed by the compelling interest found to exist in this case. The Court's sealed finding of a compelling interest is supported by specific factual evidence. The Court's order is as narrowly drawn as is appropriate in this case.

DATED: January 4, 2000.

/s/
GARY L. TAYLOR
UNITED STATES DISTRICT JUDGE