

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DEFENDANT COOK COUNTY'S MOTION FOR LEAVE TO FILE UNDER SEAL
EXHIBITS A AND F TO DEFENDANT'S RESPONSE TO PLAINTIFFS'
MOTION TO CERTIFY CASE AS A CLASS ACTION

Defendant COOK COUNTY, ILLINOIS (“Defendant”), by its attorney KIMBERLY M. FOXX, State’s Attorney of Cook County, through Special Assistant State’s Attorney, JOHNSON & BELL, LTD., pursuant to Local Rule 26.2, moves for leave of Court to file under seal Exhibits A and F to Defendant’s response to Plaintiffs’ motion to certify the case as a class action. In support of its motion, Defendant states as follows:

1. Simultaneously with this motion, Defendant has filed a response to Plaintiffs' motion to certify the case as a class action.
2. Two exhibits, Exhibits A and F, contain protected health information of individuals other than Plaintiffs and is protected by HIPAA. Exhibit A is a declaration of Dr. Jorelle Alexander that contains the names of patients who were scheduled oral surgery appointments. Exhibit F is a declaration of Laura Hernandez that also contains the names of patients who were scheduled oral surgery appointments.

3. The information in Exhibits A and F is also protected by the Agreed Confidentiality Order entered by this Court on September 10, 2018. (Confidentiality Order ¶ 2(d), ECF No. 46.) The Agreed Confidentiality Order requires the parties to comply with Local Rule 26.2 when filing confidential information under seal. (*Id.* ¶ 7.)

4. Pursuant to Local Rule 26.2(c), Defendant seeks leave of Court to file under seal Exhibits A and F to its response to Plaintiffs' motion to certify the case as a class action.

6. In accordance with Local Rule 26.2(c), the public-record version of Defendant's response has been filed. [Dkt. 135].

7. Exhibits A and F to Defendant's response have been provisionally filed under seal. [Dkt. 137].

Defendant Cook County respectfully requests that this Court grant Defendant's motion for leave to file under seal Exhibits A and F to Defendant's response to Plaintiffs' motion to certify the case as a class action and order that Exhibits A and F remain under seal.

Respectfully Submitted,

KIMBERLY M. FOXX
State's Attorney of Cook County

Dated: December 7, 2020

/s/ *Samuel D. Branum*
Special Assistant State's Attorney

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on **December 7, 2020**, I caused to be served the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Samuel D. Branum

Special Assistant State's Attorney