UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

v.

VIRGINIA LEE STORY, et al.,

Defendants.
_____/

Case No: 1:23-cv-01097

Hon. Paul L. Maloney
United States District Judge

Hon Ray Kent
United States Magistrate Judge

BRIEF IN SUPPORT OF DEFENDANT HON. CHARLES WALKER'S
MOTION FOR REDACTION AND REFILING OF DOCUMENTS

Defendant Hon. Charles Walker (Judge Walker) requests that the Court redact his private address from the filings in this action. Federal Rule of Civil Procedure 5.2(e) provides that the Court may order redaction of information for good cause; this rule is intended "to protect privacy and security concerns" of individuals. Fed. R. Civ. P. 5.2 Advisory Comm. Note (2007).

There is good cause here because as a federal judge, Judge Walker's privacy interest outweighs the public's right to know this information. *See In re Knoxville News-Sentinel Co., Inc.*, 723 F.2d 470, 474 (6th Cir. 1983) (trial courts can seal records when privacy interests outweigh the public's right to know). As a matter of safety and security, Judge Walker's address is protected. *Malhan v. Grewal*, Civil Action No. 16-8495 (CCC), 2020 WL 6689753, at *2 (D. N.J. Nov. 13, 2020); *Scheffler v. City of New Hope*, Case No. 18-cv-1690 (SRN/LIB) 2018 WL 6012181, at *2 (D. Minn. Nov. 16, 2018) (recognizing that "Judges, in particular, have a critical need to maintain their privacy because of the possible threat posed by dissatisfied litigants. . . ."). Including Judge Walker's private address in the public record of this action places his privacy and security at risk

and has no relevance to the merits of this action. *Malhan* at *3; *Scheffler* at *2; *see also Concerned Pastors for Social Action v. Khouri,* Case No. 16-10277, 2016 WL 8261002, at *1 (E.D. Mich. Oct. 25, 2016) (finding that witnesses' home addresses were irrelevant to the merits of the action and ordering redactions); *Smith v. Knipe*, No. 6:23-cv-1718-WWB-LHP, 2024 WL 449635, at *1 (M.D. Fla. Feb. 6, 2024) (directing clerk to redact defendant judge's personal home address from the complaint).

Although this case has now been transferred to another district, the ECF filings in this district still may be viewed by the public. As a result, the Court should order that ECF No. 66, PageID.4874, and ECF No. 95-1, PageID.5252, 5254, and any other pleadings that contain Judge Walker's private address be removed from the public record; that Judge Walker's address be redacted from these filings; and that they be refiled in redacted form.

Respectfully submitted,

MARK A. TOTTEN
United States Attorney

Dated: October 25, 2024

s/ *Ryan D. Cobb*

RYAN D. COBB
Assistant United States Attorney
Post Office Box 208
Grand Rapids, MI 49501-0208
(616) 456-2404
Ryan.Cobb@usdoj.gov