

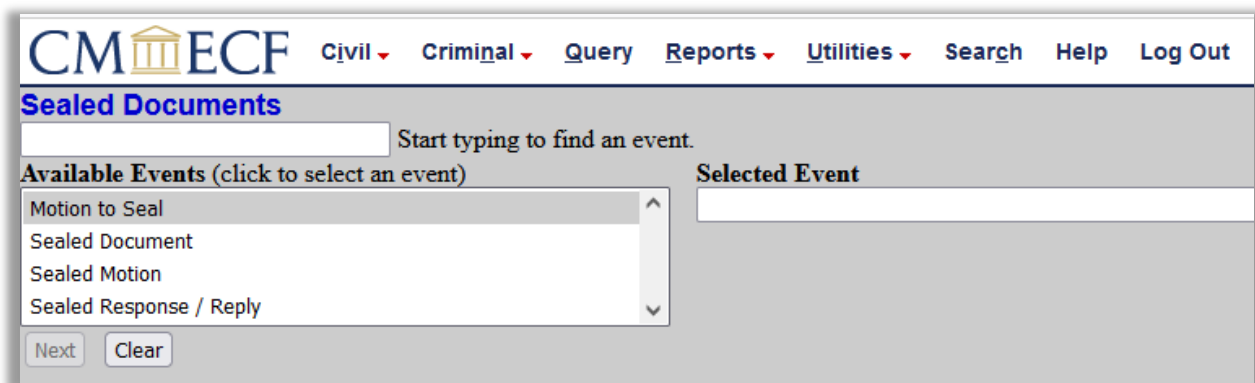
## Filing Sealed Documents in Public/Non-Sealed Civil Cases (for Lawyers)

This document provides step-by-step instructions for lawyers to electronically file sealed documents in a public/non-sealed civil case. Failure to follow these instructions could result in the inadvertent filing of a public document.

Effective November 7, 2022, the Middle District of Florida's CM/ECF Administrative Procedures require lawyers to electronically file sealed documents in non-sealed cases using CM/ECF.<sup>1</sup> Under Local Rule 1.11, a lawyer must obtain the court's permission before filing any sealed civil document.

This procedure should only be used when filing a Motion to Seal or when an order from the court permits the filing of a document under seal. **Refer to the [Overview](#) section for details.**

**IMPORTANT:** When electronically filing a sealed document, you must use the events from the **Sealed Events** menu (image below), or your document will not be filed under seal. **If you are filing a document that is both ex parte and sealed,** you must submit the document through the [Court's Web Portal](#) or in paper format.



<sup>1</sup> If the entire case is sealed, counsel must file all documents using the [Court's Web Portal](#) or in paper format. In addition, pro se filers who have been granted e-filer access must file sealed documents using the [Court's Web Portal](#) or continue to file sealed documents in paper format.

---

## **OVERVIEW: Filing Sealed Civil Documents**

### **Motion to Seal**

Under **Local Rule 1.11 –Sealing in a Civil Action**, you must obtain the court’s permission before filing a document under seal, even if a statute or rule authorizes the filing of a particular document under seal. To obtain permission, file a **Motion to Seal** using the **Sealed Events** menu ([click here for instructions](#)).

**IMPORTANT:** The proposed item for sealing is **separately** attached to the **Motion to Seal** under **Attachments** and described as “proposed sealed item.” The Motion to Seal, the docket entry, docket text, and description of attachments **will be available to the public while the separately attached proposed item is sealed and only available to the court.**

### **E-Filing Sealed Documents**

After the court grants a motion to seal, **the requesting party must electronically file the sealed document** in CM/ECF using the sealed docketing events ([click here for instructions](#)). For example, if you have permission to file a “motion to dismiss” under seal, you must file the motion to dismiss using the **“Sealed Motion”** event under the **Sealed Events** menu. Likewise, if you have permission to file an “exhibit” to a summary judgment motion under seal, you must file your summary judgment motion using the regular “Summary Judgment” motion, and then separately file the sealed exhibit using the **“Sealed Document”** event under the **Sealed Events** menu and link it to your summary judgment motion.

### **Public Access**

A sealed document filed in CM/ECF cannot be viewed on PACER or on the Clerk’s Office public terminals by anyone other than authorized Court personnel.

### **Service of Sealed Documents**

Documents electronically filed under seal are not accessible through the NEF. The filing party is therefore responsible for serving all sealed documents and attachments on opposing counsel by other means. **A certificate of service must be included with every sealed filing and a copy of the NEF should be served with the sealed document.**

### **Available Events**

Only documents properly filed using specific sealed document events are **SEALED** upon submission. The events are located under **Sealed Events** on the CM/ECF **Civil** menu.

- [Motion to Seal](#)
  - The Motion to Seal, the docket entry, docket text, and description of attachments will be available to the public while the separately attached proposed sealed item is sealed.

- Attach the item proposed for sealing **separately** under **Attachments** and describe using the Category drop-down, “Proposed Sealed Item.”
- Mark the proposed item with the sealed restriction
- CM/ECF will e-mail to counsel a Notice of Electronic Filing (NEF), but the NEF’s hyperlink to the document(s) will not provide access to the sealed document. You must serve the sealed document by other means.

When docketing all other events from the **Sealed Events** menu, the **document** itself will be sealed automatically and accessible only by the court, while the **docket entry** and **docket text** will be viewable by the public. Upon filing the sealed document, CM/ECF will e-mail to counsel a Notice of Electronic Filing (NEF), but the NEF’s hyperlink to the document will not provide access to the sealed document. You must serve the sealed document by other means.

- [Sealed Document](#)
- [Sealed Motion](#)
- [Sealed Response/Reply](#)

If you have been granted permission to file a document under seal you must use the **Sealed Document**, **Sealed Motion**, or **Sealed Response/Reply** event to file your sealed document. Any sealed item that is not a motion or response/reply should be filed using the **Sealed Document** event.

You can link your sealed document to an existing docket entry but **USE CAUTION** when doing so. Although the document itself will be sealed, the docket entry, docket text, and description of attachments can be viewed by the public.

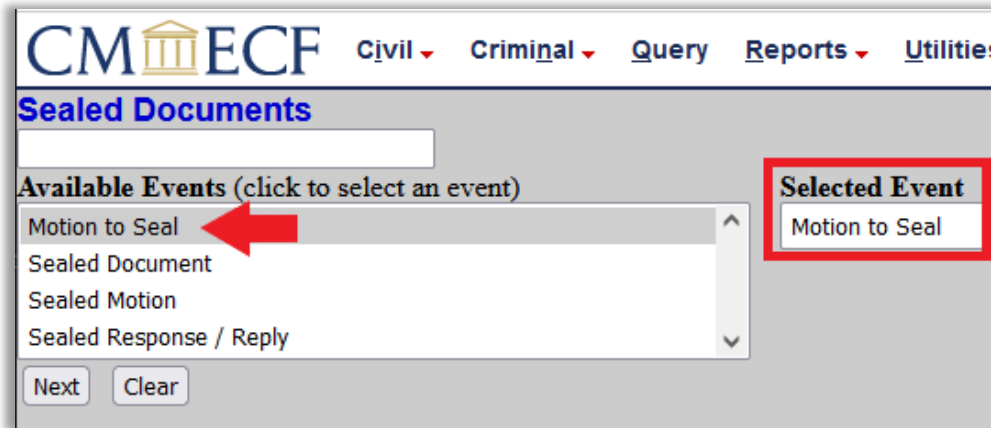
---

## STEP-BY-STEP-INSTRUCTIONS: File a Motion to Seal

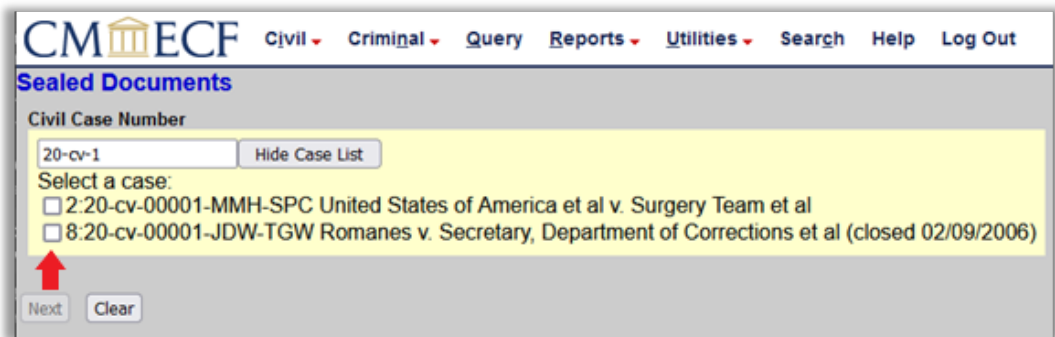
1. Begin by filing your **Motion to Seal** by selecting the CM/ECF **Civil** menu and then **Sealed Events**.



2. Click to highlight and select the **Motion to Seal** event under **Available Events**. The selected event will display under **Selected Events**.



3. **Enter the case number.** A partial case number can be entered. When presented with a list of cases, click the box to select the applicable case.



4. Verify Case Caption/Number Screen. If accurate, click **Next**.



5. Click to highlight and select the **Filer(s)**. Hold the “Ctrl” key to select multiple non-contiguous parties.

Select the filer.

**Select the Party:**      OR      **Select a Group:**

Fimdprose, Dan A [dft]  
Henry, Miles [dft]  
Jones, David [pla]  
Litigant, ProSe [dft]  
Surgery Team [dft]  
United States of America [pla]

No Group  
 All Defendants  
 All Plaintiffs  
 All Parties

Next   Clear   New Filer

The party/attorney association screen will appear only when the filing attorney is not already associated with the selected party. If accurate, leave the default Notice selection checked. If the filing attorney is lead counsel, mark “Lead” with a check and click Next. If the association should not be created, start over.

**The following attorney/party associations do not exist for the above case(s).**

**Please check the box on the left of the screen for associations which should be created.**

**If the association should *not* be created, be sure the box is *unchecked*<**

John L. Smith (pty:dft) represented by Carol Bott (aty)    Lead    Notice

Next   Clear

6. Review the prompt and click the radio button to select yes or no. If you are seeking leave to file an entire civil **case** under seal, you must stop and use the regular civil **Motion to Seal Case** event.

**Is this a motion to seal a civil case?**

Yes  
 No

Next   Clear

7. Click the radio button to select the type of document you are seeking to file under seal.

Select the option that best describes the item you are seeking to file under seal:

Document  
 Motion  
 Response  
 Reply

Next Clear

8. **Attach your document(s).** Click the **Browse** button to navigate to your saved .pdf document and attach your **Motion to Seal** as the **Main Document**. Upload the proposed item for sealing **separately** under **Attachments**. Select “**Proposed Sealed Item**” from the **Category** drop-down to describe the attachment. Upload additional documents under **Attachments** when applicable.

Review the warning on the document attachment screen.

**WARNING!**

**Attach the Motion to Seal under Main Document.**

**Upload the item proposed for sealing separately under Attachments and select *Proposed Sealed Item* under Category to describe the item.**

**The description given to Attachments when uploading documents below WILL appear on the PUBLIC docket.**

**You will apply the sealed restriction to the attached proposed item on a subsequent screen.**

**Select the PDF document and any attachments.**

**Main Document**  
Browse... Test Motion.pdf

	<b>Attachments</b>	<b>Category</b>	<b>Description</b>	
1.	Browse... Sealed Document.pdf	Proposed Sealed Item		Remove
2.	Browse... No file selected.			

Next Clear

9. Review the warning and verify that the sealed restriction box is marked with a check.

**To seal the attached proposed item, check the box below.**


**On the next screen, uncheck the restriction applied to the Main Document.**

Give these documents a sealed restriction. 

Next Clear

10. Review the warning and uncheck the sealed restriction from the **Main Document** (motion to seal). Check the document attachment(s) that will be sealed.

**The checked documents will be restricted. Deselect any documents that should not be restricted.**

File	Type	Description	Restrictions
C:\fakepath\Test Motion.pdf	Main Document		<input type="checkbox"/> sealed
C:\fakepath\Sealed Document.pdf	Proposed Sealed Item		<input checked="" type="checkbox"/> sealed

Next Clear

11. Review warning.

**Only Court personnel will be able to view the documents that are marked sealed after this entry is filed. Neither the general public nor attorneys of record will be able to view the attached sealed document. Therefore, you cannot rely on the Notice of Electronic Filing to effect service. You must serve the sealed document on all applicable parties by some other means.**

**On the next screen, USE CAUTION when entering descriptive docket text, as the docket text will be viewable by the public.**

Next Clear

12. When applicable, select a descriptive prefix from the drop-down and/or add additional text in the text boxes.

Docket Text: Modify as Appropriate.

Unopposed  MOTION to file DOCUMENT

Exhibit 7  under seal by Dan A Flmdprose, Surgery Team

**(Attachments: # (1) Proposed Sealed Item) (Bott, Carol). Motions referred to Magistrate Judge David A. Baker.**

Next Clear

13. **Verify the accuracy of the docket text, review the warning, and review source document path.** After you select **Next**, your document is filed and an NEF is sent. If you discover an error on this screen, start over from the beginning. **DO NOT** use the Back button.

Docket Text: Final Text

**Unopposed MOTION to file DOCUMENT *Exhibit 7* under seal by Dan A Flmdprose, Surgery Team (Attachments: # (1) Proposed Sealed Item) (Bott, Carol).Motions referred to Magistrate Judge David A. Baker.**

**Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue. Have you redacted?**

**Source Document Path (for confirmation only):**  
C:\fakepath\Test Motion.pdf pages: 1  
C:\fakepath\Sealed Document.pdf pages: 1

Next Clear

14. The NEF screen displays. All case participants registered for CM/ECF will receive the NEF and will not be able to view the attached document(s). You must serve all sealed documents by other means .

U.S. District Court [TEST]  
Middle District of Florida [TEST]

**Notice of Electronic Filing**

The following transaction was entered by Bott, Carol on 3/18/2024 at 4:08 PM EDT and filed on 3/18/2024

**Case Name:** United States of America et al v. Surgery Team et al  
**Case Number:** [2:20-cv-00001-MMH-DAB](#)  
**Filer:** Dan A Flmdprose  
Surgery Team  
**Document Number:** [594](#)

**Docket Text:**  
**Unopposed MOTION to file DOCUMENT *Exhibit 7* under seal by Dan A Flmdprose, Surgery Team (Attachments: # (1) Proposed Sealed Item)(Bott, Carol).Motions referred to Magistrate Judge David A. Baker.**

2:20-cv-00001-MMH-DAB Notice has been electronically mailed to:

15. Proceed to the next section only **after** the court grants your motion for leave to file under seal.



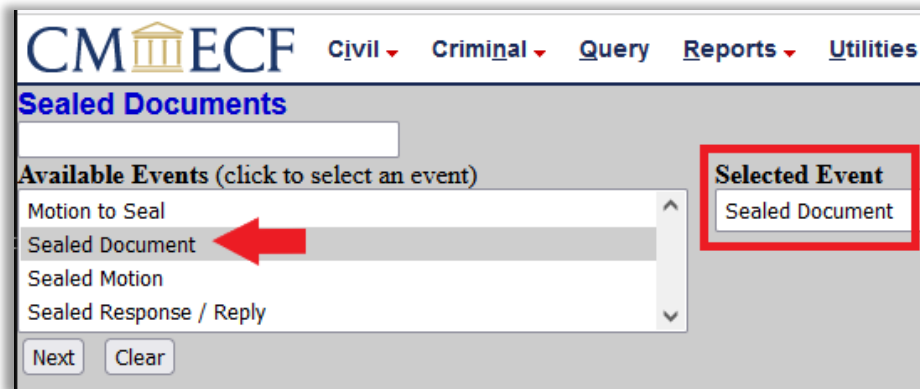
## STEP-BY-STEP INSTRUCTIONS: File a Sealed Document

1. After the court has granted permission to file a document under seal (i.e., your motion to seal is granted), begin filing your sealed document by selecting the CM/ECF **Civil** menu and then **Sealed Events**.

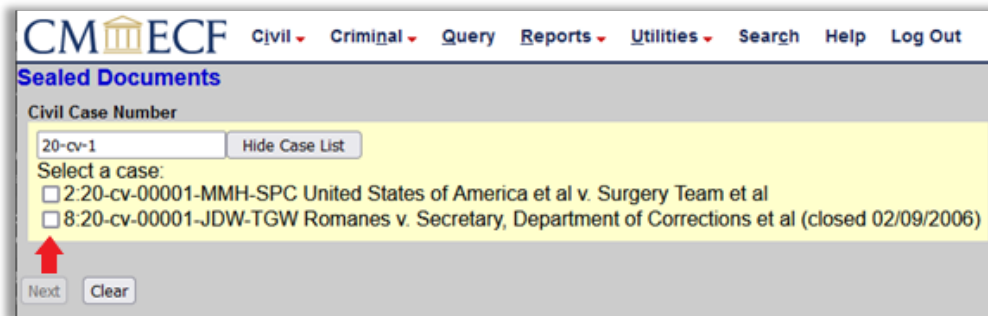


2. Click to highlight and select the applicable event under **Available Events**. The selected event will display under **Selected Events** ("Sealed Document" is selected as an example in the image below).


**Note:** Any sealed item that is not a motion or response/reply should be filed using the **Sealed Document** event.



3. **Enter the case number.** A partial case number can be entered. When presented with a list of cases, click the box to select the applicable case.



4. Verify Case Caption/Number Screen. If accurate, click **Next**.



CM/ECF Civil Criminal Query Reports Utilities

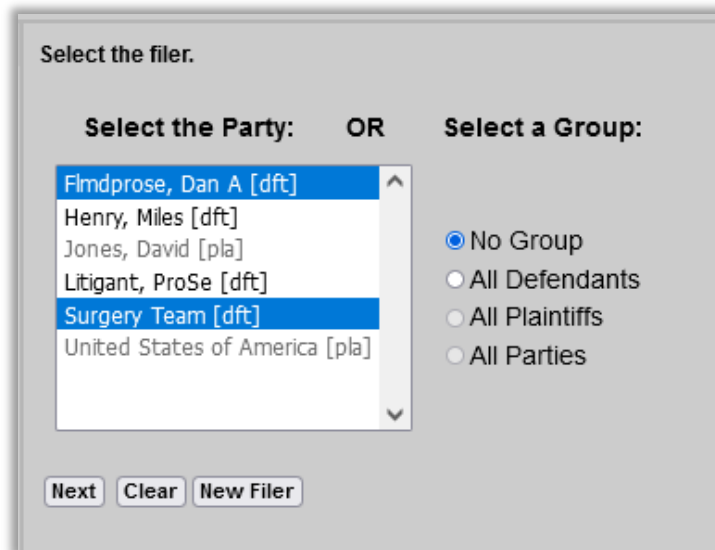
**Sealed Documents**

2:20-cv-00001-MMH-SPC United States of America et al v. Surgery Team et al

SL DOC

Next Clear

5. Click to highlight and select the **Filer(s)**. Hold the “Ctrl” key to select multiple non-contiguous parties.



Select the filer.

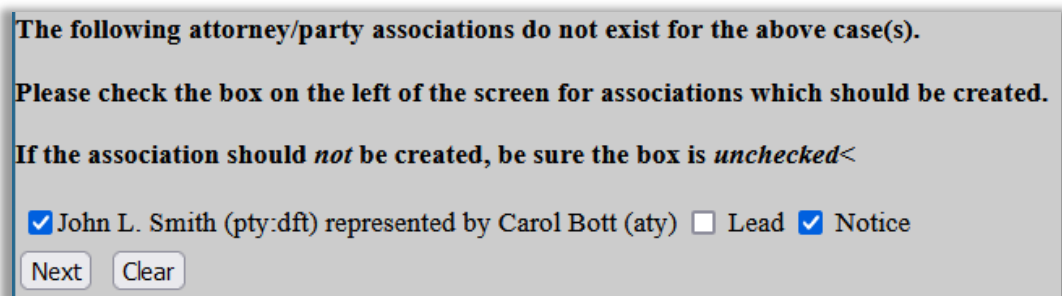
Select the Party: OR Select a Group:

Fimdprose, Dan A [dft]  
Henry, Miles [dft]  
Jones, David [pla]  
Litigant, ProSe [dft]  
Surgery Team [dft]  
United States of America [pla]

No Group  
 All Defendants  
 All Plaintiffs  
 All Parties

Next Clear New Filer

The party/attorney association screen will appear only when the filing attorney is not already associated with the selected party. If accurate, leave the default Notice selection checked. If the filing attorney is lead counsel, mark “Lead” with a check and click Next. If the association should not be created, start over.



**The following attorney/party associations do not exist for the above case(s).**

**Please check the box on the left of the screen for associations which should be created.**

**If the association should *not* be created, be sure the box is *unchecked*<**


John L. Smith (pty:dft) represented by Carol Bott (aty)  Lead  Notice

Next Clear

6. Answer the question, “**Do you have permission from the Court to file this document under seal pursuant to Local Rule 1.11?**” You will be required to link your filing to the order or minute entry granting permission to file under seal.

**Sealed Documents**  
[2:20-cv-00001-MMH-SPC United States of America et al v. Surgery Team et al](#)  
SL DOC

**Do you have permission from the Court to file this document under seal pursuant to Local Rule 1.11?**

Yes   
 No

Next Clear


If **No**, **STOP** and file a [Motion to Seal](#).

**Since you do not have permission to file this document under seal, you must first seek permission to file under seal using the event, *Motion to Seal*.**

If **Yes**, click the radio button to select “yes” and proceed to the next step.

7. The following prompt will only appear for the **Sealed Response/Reply** event. Click the radio button to select the type of document you are filing.

**Select the type of document you are filing:**

Response   
 Reply

Next Clear

8. Review the warning on the document attachment screen for the **Sealed Document**, **Sealed Motion**, and **Sealed Response/Reply** events. Attach your document(s). Click the **Browse** button to navigate to your saved .pdf document and attach as the **Main Document**.

If you have additional sealed **Attachments**, upload under the **Attachments** section. **USE CAUTION** when selecting the **Category** and/or adding a **Description** for **Attachments**. Remember, the docket text **will be** visible to the public.

**WARNING!:**  
The description given to Attachments when uploading documents below **WILL** appear on the **PUBLIC** docket. The attached documents will automatically be sealed.

Select the PDF document and any attachments.

**Main Document**  
Browse... Test Motion.pdf

**Attachments**

1. Browse... Test Memo.pdf Category: [dropdown] Description: Memo in Support [Remove]

2. Browse... No file selected. Category: [dropdown] Description: [input]

Next Clear

9. The **Sealed Document**, **Sealed Motion**, and **Sealed Response/Reply** events should link back to the Order or minute entry granting permission to file the sealed item, when the order or minute entry is available for selection. Please note that sealed docket entries will not be available for selection. The linking screens vary in each event.

When filing the **Sealed Document** or **Sealed Motion** events, the filer will be prompted to select the Order or minute entry granting permission to file under seal and will also have the option to link the sealed document or motion to an additional, related docket entry. Check the box to view the docket entry selection screen. On the docket entry selection screen, you may have to scroll to locate the appropriate docket entry as every docket entry will display for selection or below, use the **Filed** and/or **Documents** filters to narrow the search.

Select the Order or minute entry granting permission to file this document under seal. If this document should relate to an additional filing, select that as well.

Please note that sealed docket entries will not be available to select.

Should the document you are filing link to another document in this case?

Filed [input] to [input]

Documents [input] to [input]

Next Clear

The **Sealed Response / Reply** event will prompt the filer to select the motion(s) to which this response/reply relates **and** the Order or minute entry granting permission to file under seal (and additional docket entries when applicable). Check the box the view the docket entry selection screen. On the docket entry selection screen, you may have to scroll to locate the appropriate docket entry as every docket entry will display for selection or below, use the **Filed** and/or **Documents** filters to narrow the search.

Select the motion or motions in which this response/reply relates and select the Order or minute entry granting permission to file this item under seal.

Please note that sealed docket entries will not be available to select.

Should the document you are filing link to another document in this case?

Filed  to

Documents  to

Next Clear

10. **Docket entry selecting screen for linking.** Check the box next to the applicable order or minute entry granting permission to file under seal and when applicable, select additional docket entries. When filing a **Sealed Response/Reply**, select the motion to which this response/reply relates.

**Note:** Sealed docket entries will not display for selection. If all the related docket entries are sealed, click the Back button and un-check the linking box (on the previous screen) in order to move forward.

03/18/2024 [594](#) Unopposed MOTION to file DOCUMENT *Exhibit 7* under seal by Dan A Flmdprose, Surgery Team (Attachments: # [1](#) Proposed Sealed Item)(Bott, Carol).Motions referred to Magistrate Judge David A. Baker. (*Terminated*)

03/18/2024 [596](#) ORDER granting [594](#) Motion to seal. Signed by Magistrate Judge David A. Baker on 3/18/2024. (NAS)

Next Clear

11. **Review the warning message.**

Only Court personnel will be able to view the documents attached after this entry is filed. Neither the general public nor attorneys of record will be able to view the attached document. Therefore, you cannot rely on the Notice of Electronic Filing to effect service. You must serve this document on all applicable parties by some other means.

On the next screen, **USE CAUTION** when entering descriptive docket text, as the docket text will be viewable by the public.

Next Clear

12. **Use Caution** when entering descriptive text. The docket text is visible to the public. Select a prefix when applicable from the drop-down and/or add additional text in the text boxes.

Sample docket text for the **Sealed Document** event:

Docket Text: Modify as Appropriate.

**SEALED DOCUMENT**

Next Clear

Sample docket text of the **Sealed Motion** event:

Docket Text: Modify as Appropriate.

**SEALED MOTION**

Next Clear

Sample docket text for the **Sealed Response / Reply** event:

Docket Text: Modify as Appropriate.

**SEALED RESPONSE**

Next Clear

13. **Verify the accuracy of the docket text, review the warning, and review the source document path.** After you select **Next**, your document is filed and an NEF is e-mailed. If you discover an error on this screen, start over from the beginning. **DO NOT** use the Back button.

Docket Text: Final Text

**SEALED RESPONSE *in opposition* re [539] Sealed Order on Motion to Seal, [131] Motion to Vacate by Dan A Flmdprose, Surgery Team (Bott, Carol).**

**Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.**  
**Have you redacted?**

*Source Document Path (for confirmation only):*  
C:\fakepath\Memo.pdf pages: 1

14. The NEF screen displays. Remember, while all case participants will receive the NEF, sealed documents are not accessible to the parties through the NEF. **Therefore, you must serve all sealed documents by other means.** Print the NEF and serve it and the sealed document on opposing counsel.

**U.S. District Court [TEST]**

**Middle District of Florida [TEST]**

**Notice of Electronic Filing**

The following transaction was entered by Bott, Carol on 8/15/2023 at 12:29 PM EDT and filed on 8/15/2023

**Case Name:** United States of America et al v. Surgery Team et al  
**Case Number:** [2:20-cv-00001-MMH-DAB](#)  
**Filer:** Dan A Flmdprose  
Surgery Team  
**Document Number:** [543](#)

**Docket Text:**  
**SEALED RESPONSE *in opposition* re [539] Sealed Order on Motion to Seal, [131] Motion to Vacate by Dan A Flmdprose, Surgery Team (Bott, Carol).**

**2:20-cv-00001-MMH-DAB Notice has been electronically mailed to:**

---

## Revision Log

Date	Comments	By
10/11/22	Procedure posted in preparation of 11/7/22 effective date.	NAS
4/1/24	Updated to account for changes to Local Rule 1.11.	NAS