

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ERIC E. HOYLE,

Plaintiff,

-vs-

08-CV-347-JTC

FREDERICK DIMOND, et al.,

Defendants.

The court conducted a telephone conference with counsel for the parties on July 25, 2011. At that time, counsel discussed plaintiff's motion to compel and for partial vacatur of the preliminary injunction (Item 75). Additionally, defense counsel has requested that the motion to compel be filed under seal, as it contains a portion of the deposition transcript of his client, Brother Michael Dimond, which he states has been designated as confidential pursuant to a stipulated confidentiality agreement filed February 11, 2010 (Item 49). Plaintiff apparently opposes this request, but has failed to present any compelling reason why the motion should not be sealed. Accordingly, defendant's request is granted and Item 75 on the docket shall be sealed.

Additionally, defendant shall file a response to the motion to compel and for partial vacatur of the preliminary injunction on or before August 12, 2011. Plaintiff may file a reply, if desired, on or before August 22, 2011.

So ordered.

_____\s\ John T. Curtin_____
JOHN T. CURTIN
United States District Judge

Dated: July 27, 2011
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