

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DEFENSE DISTRIBUTED, et al.,	§	
Plaintiffs,	§	
	§	
v.	§	No. 1:15-cv-372-RP
	§	
U.S. DEPARTMENT OF STATE, et al.,	§	
Defendants.	§	

NOTICE REGARDING UNDER SEAL FILING

On June 24, 2015, Plaintiffs filed a Motion for Leave to File Sealed Document. *See* ECF No. 36. The Court granted Plaintiffs’ motion on June 30, 2015. *See* Text Order, Civ. No. 1:15-cv-372-RP (June 30, 2015).

In filing the motion, Plaintiffs sought the position of the Government (through undersigned counsel for the official-capacity Defendants) in accordance with Local Civil Rule 7(i). Plaintiffs expressed their view that the information they sought to file would constitute “technical data” within the definition provided by the International Traffic in Arms Regulations (“ITAR”), 22 C.F.R. Parts 120-130. As explained in Plaintiffs’ filing, the Government, “having not seen the proposed filing,” could not take a meaningful position regarding whether the contents of the filing would constitute technical data or should be made under seal. However, the Government promised to “expeditiously review the filing to determine its position on whether it believes sealing is appropriate.” *See* ECF No. 36.

Having now reviewed the filing, the Government has concluded that the ITAR does not constrain the release of the filing on the public docket and that sealing is therefore not appropriate.

Dated: July 3, 2015

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 3, 2015, I electronically filed this document with the Clerk of Court using the CM/ECF system, which will send notification to

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In addition, I have dispatched this document using the United States Postal Service to the following, who is not listed as a CM/ECF participant:

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/s/ Eric J. Soskin

ERIC J. SOSKIN
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