United States Court of Appeals For the Sebenth Circuit 219 South Dearborn Street Chicago, Illinois 60604

06-CV-C

06-CR-E

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June 13, 2006

Chief District Judge David F. Levi Chair of the Judicial Conference Committee On Rules of Practice and Procedure United States District Court Eastern District of California 2504 Robert T. Matsui United States Courthouse 501 I Street Sacramento, California 95814-7300

Dear David:

In response to recent media accounts of sealed cases in certain federal district courts, I directed that a canvass be made of the seven district court clerks offices in our circuit regarding such cases. Five of the districts reported having sealed cases, however, there appeared to be no uniformity in the manner in which they were docketed. Little if any information is provided concerning the nature of the proceedings. Although the majority of the sealed matters were criminal or *qui tam* cases it appears that there may be other types of cases as well.

At the Seventh Circuit Judicial Council meeting on May 23, 2006, the issue of how sealed cases are handled was discussed. The Council voted to recommend that your committee study this issue with the thought that there may be some benefit to having guidelines and/or specific procedures for the captioning and docketing of sealed cases.

All the best,

Joel M. Flaum

JMF:dml

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cc: Director L. Ralph Mecham Construction of the Angle Collins T. Fitzpatrick and the Construction of the Collins T. Fitzpatrick and the Construction of the Construct

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Chambers of Joel M. Alaum Chief Judge