

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**THOMAS C. McINTOSH and
PAMELA McINTOSH**

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:06cv1080-LTS-RHW

**STATE FARM FIRE AND CASUALTY
INSURANCE COMPANY, *et al.***

DEFENDANTS

ORDER

Before the Court are [1228] and [1229] State Farm's emergency motions for leave to file under seal motions to compel non-parties Zach and Richard Scruggs, respectively, regarding their July 21, 2008 depositions. As a courtesy to counsel for the Scruggses, who have "stated that they intend to move this Court to seal" the Scruggses' deposition transcripts, State Farm requests that it be allowed to file its motions to compel under seal. By July 22, 2008 email to chambers, counsel for the Scruggses advised they do not oppose the motions and do not intend to file an opposition to them, though they disagree that the motions are of an "emergent nature." By July 23, 2008 email to chambers, State Farm advised it filed the pleadings as emergency motions as it desires to conclude the depositions before the deponents report to federal correctional institutions to begin serving their sentences.

Since the Court has been presented no request to seal the Scruggses' depositions, and the present motions for leave to file under seal present no substantive reason to seal the motions to compel, the Court has insufficient basis for granting leave to file the documents under seal. It is therefore,

ORDERED that the motions for leave to file motions to compel under seal are denied,
this the 24th day of July, 2008.

/s/ Robert H. Walker

ROBERT H. WALKER
UNITED STATES MAGISTRATE JUDGE