

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**FEDERAL ENERGY REGULATORY
COMMISSION,**

Plaintiff,

v.

Civil Action No. 3:15cv452

POWHATAN ENERGY FUND, LLC, et al.,

Defendants.

ORDER

This matter comes before the Court on Defendant Powhatan Energy Fund, LLC (“Powhatan”)’s Motion for Leave to Seal Exhibits in Support of Supplemental Submission (the “Motion to Seal”). (ECF No. 287.) For the following reasons, the Court will grant the Motion to Seal.

Prior to sealing a document, the Court must:

(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives.

Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4th Cir. 2000) (citing *In re Knight Publ’g Co.*, 743 F.3d 231, 235–36 (4th Cir. 1984)). The Motion to Seal has provided public notice of the request to seal. It has also allowed interested parties a reasonable opportunity to object. The Court has considered less drastic alternatives to sealing the exhibits and finds that no other alternative will protect the privacy interests at issue here. Sealing is appropriate because the exhibits contain confidential and proprietary business and financial information, including the amount of

Powhatan's legal expenses. The Court has thus identified the specific reasons and factual findings supporting its decision to seal.

For these reasons, the Court GRANTS the Motion to Seal. (ECF No. 287.) The Court DIRECTS the Clerk to file the Exhibits in Support of Supplemental Submission under seal.

It is SO ORDERED.

Date: 2-24-2022
Richmond, Virginia



M. Hannah Lauck
United States District Judge