

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

**FEDERAL ENERGY REGULATORY  
COMMISSION,**

**Plaintiff,**

**v.**

**Civil Action No. 3:15-cv-452**

**POWHATAN ENERGY FUND, LLC, et al.,**

**Defendants.**

**ORDER**

This matter comes before the Court on Defendant Powhatan Energy Fund, LLC (“the Fund”)’s and Williams Mullen’s Motion for Leave to Seal the Supplemental Submissions in Relation to the Motion to Withdraw (the “Motion to Seal”). (ECF No. 224.) 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)). Each of these factors favor sealing.

First, the Motion to Seal has provided public notice of the request to seal. It has also allowed interested parties a reasonable opportunity to object. Second, the Court has considered less drastic alternatives to sealing the documents and finds that no other alternative will protect the confidential and proprietary business and financial information contained in the submissions. Sealing is appropriate because the submissions contain information concerning the Fund’s

finances and Williams Mullen's outstanding legal bills and estimates for future litigation. Because the Court has identified the specific reasons and factual findings supporting its decision to seal the documents, the third factor also weighs in favor of granting the Motion to Seal.

For these reasons, the Court GRANTS the Motion to Seal. (ECF No. 224.) The Court DIRECTS the Clerk to file the Supplemental Submissions in Relation to the Motion for Leave to Withdraw under seal.

It is SO ORDERED.

Date: 9/7/2021  
Richmond, Virginia

  
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M. Hannah Lauck  
United States District Judge