

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
TEXAS, DALLAS DIVISION

Stephanie Key v. Coca-Cola Southwest Beverages, LLC, and
Dolgencorp of Texas, Inc. d/b/a Dollar General #12498

Key · No. 3:24-CV-1368-S · Decided December 15, 2025

SUMMARY

The United States District Court for the Northern District of Texas grants the parties’ agreed motion to seal an exhibit containing excerpts from Dollar General’s confidential Standard Operating Procedures. The court finds that the exhibit includes proprietary operational information whose disclosure could cause competitive harm, and that the interests favoring nondisclosure outweigh the public’s common-law right of access. The court directs Plaintiff to file Exhibit 3 under seal.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Dallas Division
JURISDICTION	United States District Court for the Northern District of Texas, Dallas Division
DECIDED	December 15, 2025
DOCKET	3:24-CV-1368-S
DISPOSITION	other
PROCEDURAL POSTURE	The court considered the parties' agreed motion for leave to file under seal an exhibit attached to Plaintiff's response to Dollar General's summary-judgment motion.
STANDARD OF REVIEW	The court applied Local Civil Rule 79.3(b) and conducted a document-by-document, line-by-line balancing of the public's common-law right of access against interests favoring nondisclosure.
PRECEDENTIAL VALUE	Unknown
PARTIES	Stephanie Key v. Dolgencorp of Texas, Inc. d/b/a Dollar General #12498, Coca-Cola Southwest Beverages, LLC

TOPICS

- civil procedure
- commercial litigation
- summary judgment

PRACTICE AREAS

civil procedure

commercial litigation

sealing of judicial records

QUESTIONS PRESENTED

1. Whether Exhibit 3 should be filed under seal under Local Civil Rule 79.3(b) and the common-law right of access to judicial records.

HOLDINGS

1. Exhibit 3 should be sealed because the parties identified specific competitive harms from disclosure, the information was proprietary and confidential, and the interests favoring nondisclosure outweighed the public's common-law right of access.

KEY QUOTATIONS

“The Court “heavily disfavor[s] sealing information placed in the judicial record.”” (at 2)

“In determining whether a document should be sealed, the Court undertakes a “document-by-document, line-by-line balancing of the public’s common law right of access against the interests favoring nondisclosure.”” (at 2)

“ “[T]he working presumption is that judicial records should not be sealed.”” (at 2)

“The Court DIRECTS Plaintiff to file Exhibit 3 under seal.” (at 5)

FACTUAL BACKGROUND

Dollar General's summary-judgment motion involved an excerpt from its Standard Operating Procedures that Plaintiff attached to her response. The parties represented that the exhibit contained confidential staffing models, labor-allocation strategies, merchandising methodologies, receiving-room procedures, and maintenance procedures tied to Dollar General's risk-management strategy. They further asserted that disclosure could allow competitors to adopt Dollar General's procedures without making comparable investments.

PROCEDURAL HISTORY

Dollar General moved for summary judgment. Plaintiff filed a response attaching a redacted excerpt of Dollar General's Standard Operating Procedures and twice sought leave to file the exhibit under seal. The court denied the earlier sealing requests for failure to comply with Fifth Circuit law. After the parties filed an agreed motion addressing the applicable sealing standard, the court granted the motion and directed Plaintiff to file Exhibit 3 under seal.

DISPOSITION

other

CASES CITED

- Binh Hoa Le v. Exeter Finance Corp., 990 F.3d 410, 419 (5th Cir. 2021)
- June Medical Services, LLC v. Phillips, 22 F.4th 512, 519-21 (5th Cir. 2022)
- Vantage Health Plan, Inc. v. Willis-Knighton Medical Center, 913 F.3d 443, 451 (5th Cir. 2019)
- Blue Yonder Group, Inc. v. Kinaxis Inc., No. 3:20-CV-03636-K, 2024 WL 4796229, at *4 (N.D. Tex. May 30, 2024)
- MIECO LLC v. Pioneer Natural Resources USA, Inc., No. 3:21-CV-1781-B, 2022 WL 18034481, at *2 (N.D. Tex. Oct. 28, 2022)

OPINION

United States District Court NORTHERN DISTRICT OF TEXAS DALLAS DIVISION
STEPHANIE KEY § § Vv. § § CIVIL ACTION NO. 3:24-CV-1368-S COCA-COLA
SOUTHWEST BEVERAGES, § LLC, and DOLGENCORP OF TEXAS, INC. § d/b/a DOLLAR
GENERAL #12498 § MEMORANDUM OPINION AND ORDER Before the Court is Plaintiff
Stephanie Key and Defendants Dolgencorp of Texas, Inc. and Coca-Cola Southwest Beverages
LLC's Agreed Motion for Leave to File Under Seal and Brief in Support ("Motion to Seal") [ECF
No. 77].

Having reviewed the Motion to Seal and the applicable law, the Court GRANTS the Motion to Seal. I. BACKGROUND Defendant Dolgencorp of Texas, Inc. d/b/a Dollar General #12498 ("Dollar General") moved for summary judgment. See ECF No. 57. Plaintiff filed her response and appended Exhibit 3, which is an excerpt of Dollar General's Standard Operating Procedures, in redacted format.

See ECF No. 71-1. Plaintiff twice moved for leave to file Exhibit 3 under seal, see ECF Nos. 72, 75, and the Court denied leave both times for failure to comply with Fifth Circuit law, see ECF Nos. 74, 76 (citing Binh Hoa Le v. Exeter Fin. Corp., 990 F.3d 410 (5th Cir. 2021), and June Med. Servs., LLC v. Phillips, 22 F.4th 512 (5th Cir. 2022)), The parties then filed the Motion to Seal.

II. LEGAL STANDARD Pursuant to Local Civil Rule 79.3(b), "[i]f no statute or rule requires or permits a document to be filed under seal, a party may file a document under seal only on motion and by permission of the presiding judge." No statute or rule requires or permits sealing here; therefore, the Court must determine whether sealing is warranted.

The Court "heavily disfavor[s] sealing information placed in the judicial record." June Med. Servs., 22 F.4th at 519-20. In determining whether a document should be sealed, the Court undertakes a "document-by-document, line-by-line balancing of the public's common law right of access against the interests favoring nondisclosure." Binh Hoa Le, 990 F.3d at 419 (internal quotation marks and citation omitted).

This standard is "arduous," and the balancing test is stricter than it is at the discovery stage. June Med. Servs., 22 F.4th at 521 (citation omitted), "[T]he working presumption is that judicial records

should not be sealed.” Binh Hoa Le, 990 F.3d at 419 (citation omitted).

I. ANALYSIS The parties now seek leave to file Exhibit 3 under seal. Mot, to Seal 2. Exhibit 3 contains “confidential excerpts from Dollar General’s Standard Operating Procedures,” including “proprietary operational intelligence unique to Dollar General.” /d. at 3-4.

The Court concludes that it is proper to seal Exhibit 3. According to the parties, Exhibit 3 contains “Dollar General’s staffing models, labor allocation strategies, and merchandising methodologies... detailed receiving room operational procedures, [and] maintenance procedures tied to Dollar General’s risk management strategy.” Id. at 4-5. Further, the parties contend that this information, if released to Dollar General’s competitors, would allow those competitors to “adopt Dollar General’s procedures without similar investment[.]” /d. at 5.

Specific allegations regarding competitive harm, like the allegations set forth by the parties here, support sealing. *Vantage Health Plan, Inc. v. Willis-Knighton Med. Cir.*, 913 F.3d 443, 451 (th Cir. 2019). The Court further finds that the interests in support of nondisclosure outweigh the public’s common law right of access to the information contained in Exhibit 3.

Exhibit 3 contains proprietary and other confidential information, and the parties have explained why disclosing such information would cause Dollar General competitive harm. See, e.g., *Blue Yonder Grp., Inc. v. Kinaxis Inc.*, No. 3:20-CV-03636-K, 2024 WL 4796229, at *4 (N.D. Tex. May 30, 2024) (sealing information about a company’s market strategy that was not readily available to the public).

And the exhibit being sealed does not appear to be essential to deciding the merits of Dollar General’s summary judgment motion. See *MJECO LLC y. Pioneer Nat. Res., USA, Inc.*, No. 3:21-CV-1781- B, 2022 WL 18034481, at *2 (N.D. Tex. Oct. 28, 2022) (allowing redaction of information that did not “provide ‘the basis for summary judgment’ but simply support[ed] [the defendant’s] arguments.” (citation omitted)).

As such, the Court will seal Exhibit 3. IV. CONCLUSION For the reasons discussed above, the Court GRANTS Plaintiff Stephanie Key and Defendants Dolgencorp of Texas, Inc. and Coca-Cola Southwest Beverages LLC’s Agreed Motion for Leave to File Under Seal and Brief in Support (“Motion to Seal”) [ECF No. 77].

The Court DIRECTS Plaintiff to file Exhibit 3 under seal. SO ORDERED. SIGNED December 15, 2025. Lvl (oe — UNITED STATES DISTRICT JUDGE