

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

V.C. v. District of Columbia

V.C. · No. Civil Action No. 23-1139 (CKK) · Decided May 4, 2026

SUMMARY

The United States District Court for the District of Columbia denied plaintiffs’ motion to strike the District of Columbia’s sealed opposition to class certification. The court held that the District’s use of protected health information from Department of Corrections records to defend against plaintiffs’ inadequate-healthcare claims was permissible under HIPAA and was limited to the minimum necessary. The court nevertheless ordered the parties to propose a protective order governing the handling of the disclosed health information.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Colleen Kollar-Kotelly
JURISDICTION	United States District Court for the District of Columbia
DECIDED	May 4, 2026
DOCKET	Civil Action No. 23-1139 (CKK)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved to strike the District's sealed opposition to their motion for class certification and sought leave to file a supplemental brief, arguing that the sealed opposition disclosed protected health information in violation of HIPAA.
STANDARD OF REVIEW	Motions to strike are generally disfavored and are an extreme remedy reserved for filings that are indefensible, harassing, or detract from the dignity of the court. The moving party bears the burden of showing that striking is justified, and doubts are resolved in favor of denying the motion.
PRECEDENTIAL VALUE	published district court memorandum opinion; persuasive within the District of Columbia but not binding on other courts
PARTIES	V.C., et al. v. District of Columbia

TOPICS

hipaa

medical records privacy

class actions

civil procedure

PRACTICE AREAS

health law

civil procedure

civil rights

class actions

QUESTIONS PRESENTED

1. Whether HIPAA prohibited the District of Columbia from using protected health information in a sealed opposition filed to defend against Plaintiffs' claims.
2. Whether the records created by the Department of Corrections were records of the District of Columbia for purposes of HIPAA's litigation-related use exception.
3. Whether the District's sealed and redacted filing limited disclosure of the protected health information to the minimum necessary.
4. Whether the District's opposition should be stricken under the standards governing motions to strike.

HOLDINGS

1. The District of Columbia could use the protected health information in the litigation without a prior court order or other lawful process because the records belonged to the District for purposes of the litigation and the District was using them to defend itself.
2. The District's use of the protected health information was reasonable and sufficiently limited to the minimum necessary for purposes of defending the litigation.
3. The Court denied Plaintiffs' motion to strike because the District's use of the protected health information did not violate HIPAA and the filing did not warrant the extreme remedy of striking.

KEY QUOTATIONS

"The Court determines that the records in question belong to the District." (5)

"In sum, the District's use of Plaintiffs' protected health information did not violate HIPAA because it involved the District's reasonable use of its own records to defend itself in litigation." (7)

FACTUAL BACKGROUND

Plaintiffs are incarcerated at facilities operated by the District of Columbia Department of Corrections and allege that they received constitutionally inadequate healthcare. In opposing class certification, the District filed under seal medical information concerning proposed class representatives and other putative class members, while filing redacted versions publicly. The District asserted that the records were its own records and that their use was permissible to defend the litigation, while Plaintiffs argued that HIPAA required authorization, a court order, lawful process, notice, or a qualified protective order.

PROCEDURAL HISTORY

Plaintiffs, individuals incarcerated in District of Columbia Department of Corrections facilities, sued the District alleging constitutionally inadequate healthcare and moved to certify a class. After mediation reached an impasse,

Plaintiffs sought leave to supplement their class-certification motion. The District filed a sealed opposition containing protected health information and public redacted versions. Plaintiffs moved to strike the sealed opposition; the Court denied that motion and ordered the parties to confer and submit a proposed protective order.

DISPOSITION

other

CASES CITED

- Carter-El v. D.C. Dep't of Corr., 893 F. Supp. 2d 243, 247 (D.D.C. 2012) (RBW), aff'd, No. 12-5357, 2013 WL 3367416 (D.C. Cir. July 5, 2013)
- Hill v. Smoot, 308 F. Supp. 3d 14, 23 (D.D.C. 2018) (RBW)
- Acara v. Banks, 470 F.3d 569, 571 (5th Cir. 2006)
- Murphy v. Dulay, 768 F.3d 1360, 1368-69 (11th Cir. 2014)
- Bedard v. LeBlanc, No. 5:20-CV-161-GWC-KJD, 2022 WL 22972442, at *2-*3 (D. Vt. Nov. 8, 2022)
- Givens v. Saint Louis Cnty., No. 4:18-CV-1732 SPM, 2020 WL 4334942, at *3 (E.D. Mo. July 28, 2020)
- McDowell v. United States, Case No. EDCV 19-631 JGB, 2019 WL 8750360, at *1 (C.D. Cal. Dec. 11, 2019)
- Kraft v. Essentia Health, No. 3:20-CV-121, 2021 WL 12326274, at *4 (D.N.D. July 16, 2021)
- Stabilisierungsfonds Fur Wein v. Kaiser Stuhl Wine Distribs. Pty. Ltd., 647 F.2d 200, 201 (D.C. Cir. 1981)
- Brigida v. Chao, No. CV 16-2227 (DLF), 2018 WL 11389503, at *3 (D.D.C. May 31, 2018)
- Fay v. Perles, 59 F. Supp. 3d 128, 134 (D.D.C. 2014) (CRC)
- Bond v. U.S. Dep't of Just., 828 F. Supp. 2d 60, 71-72 (D.D.C. 2011)
- Nwachukwu v. Karl, 216 F.R.D. 176, 178 (D.D.C. 2003)