

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Smoot Construction of Washington, D.C. v. The Smoot Corporation,
et al.

Smoot Construction · No. 2:22-cv-1707 · Decided March 2, 2026

SUMMARY

The United States District Court for the Southern District of Ohio denies without prejudice Plaintiff’s motion for leave to file two Smoot Corporation consolidated financial reports under seal. The order directs Defendants, as the designating parties, to file a properly supported sealing motion within seven days after notification and reiterates the applicable confidentiality-designation procedure.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Eastern Division
WRITING FOR THE COURT	Chelsey M. Vascura
JURISDICTION	United States District Court for the Southern District of Ohio, Eastern Division
DECIDED	March 2, 2026
DOCKET	2:22-cv-1707
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to file two Smoot Corporation consolidated financial reports under seal as exhibits to its opposition brief.
STANDARD OF REVIEW	Motions to seal must satisfy Sixth Circuit standards and must be narrowly tailored so that sealing is no broader than necessary.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- commercial litigation
- construction law

PRACTICE AREAS

- civil procedure
- construction law
- commercial litigation

QUESTIONS PRESENTED

1. Whether Plaintiff could file the financial reports under seal without Defendants first filing a properly supported motion to seal under the procedure established by the court's prior order.
2. Which party was responsible for seeking sealing of documents it had designated confidential.

HOLDINGS

1. When a party seeks to file documents designated by another party as Confidential or Attorney's Eyes Only, the designating party must file a properly supported motion for leave to file the documents under seal within seven days after notification; otherwise, the filing party may file the documents publicly without further leave.
2. A motion to seal must satisfy Sixth Circuit standards and must be narrowly tailored so that sealing is no broader than necessary.

KEY QUOTATIONS

“Designating parties are cautioned that any motion to file documents under seal must meet the standards set forth by the Sixth Circuit and should be narrowly tailored, as the sealing of documents must be no broader than necessary.”

FACTUAL BACKGROUND

Plaintiff sought leave to file two Smoot Corporation Consolidated Financial Reports as exhibits. Plaintiff did not believe the reports were confidential, but Defendants objected to their public filing because they had designated the documents as confidential or Attorney's Eyes Only under the parties' Confidentiality Order.

PROCEDURAL HISTORY

The court considered Plaintiff's motion concerning financial reports that Defendants had objected to filing publicly. Applying a notification and sealing-motion procedure established in a prior order, the court denied Plaintiff's motion without prejudice and directed Defendants to move for sealing if they wished to maintain confidentiality.

DISPOSITION

other

CASES CITED

- *Shane Grp., Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305 (6th Cir. 2016)