

IN THE
Supreme Court of the United States

DELAWARE,

Plaintiff,

v.

PENNSYLVANIA AND WISCONSIN,
Defendants.

ARKANSAS, *et al.*,

Plaintiffs,

v.

DELAWARE,

Defendant.

**MOTION TO PROVISIONALLY FILE UNDER SEAL DELAWARE’S
OPPOSITION TO PENNSYLVANIA’S MOTION FOR IMMEDIATE
WITHDRAWAL OF DEPOSITED FUNDS**

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August 4, 2023

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Pursuant to the Stipulation and Protective Order, *see* Dkt. 54 ¶ 15, Delaware moves to provisionally file under seal its Opposition to Pennsylvania’s Motion for Immediate Withdrawal of Deposited Funds, *see* Dkt. 145, 146, and the exhibits accompanying Delaware’s opposition brief (“Opposition”). Counsel for Pennsylvania does not object to this motion, but noted that Pennsylvania does not waive any other objections to Delaware’s filing, including to redactions. Counsel for all other Defendant States indicates those States do not object to Delaware’s motion. A proposed order is appended to this motion.

1. On January 16, 2018, the Special Master approved the parties’ Stipulation and Protective Order. Pursuant to that order, “[a]ll briefs . . . and any other material of any nature that has been designated as ‘Confidential’ . . . shall, if filed with the Court, be filed under seal.” Dkt. 54 ¶ 15.

2. Counsel for MoneyGram has indicated to counsel for Delaware that MoneyGram considers the identity of its client financial institutions to be Confidential.

3. Delaware’s Opposition mentions MoneyGram’s client financial institutions by name. Delaware’s Opposition also describes client financial institutions in ways that may identify the institution, even if the client’s name is redacted.

4. Delaware therefore requests that the Special Master grant Delaware's motion to provisionally file its Opposition under seal. Delaware proposes that, within 14 days, Delaware will confer with all parties and MoneyGram and submit a version of its Opposition and associated exhibits with proposed redactions appropriate for filing on the public docket. Those redactions, if any, will reflect material that the parties or MoneyGram indicate should remain under seal in accordance with the Stipulation and Protective Order.

For the foregoing reasons, the Special Master should grant Delaware's motion to file its Opposition provisionally under seal.

Respectfully submitted,

/s/ Neal Kumar Katyal

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CERTIFICATE OF SERVICE

Counsel for Delaware in Case Nos. 22O145 & 22O146 certifies that on August 4, 2023, this document was served by email on counsel for all Defendants identified in the Amended Service list.

August 4, 2023

/s/ Neal Kumar Katyal
Neal Kumar Katyal

Nos. 22O145 & 22O146

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WHEREAS, the parties entered into, and the Special Master approved on January 16, 2018, the Stipulation and Protective Order; and,

WHEREAS, MoneyGram has identified certain information as Confidential in Delaware’s Opposition to Pennsylvania’s Motion for Immediate Withdrawal of Deposited Funds, *see* Dkts. 145, 146, and the associated exhibits; and,

WHEREAS, Delaware has moved to provisionally file its Opposition under seal and submit a proposed public filing with redactions in 14 days; and,

WHEREAS, Defendant States do not oppose Delaware’s request to provisionally file under seal;

IT IS HEREBY ON THIS __ DAY OF AUGUST, 2023:

ORDERED, that Delaware’s Opposition and associated exhibits shall be provisionally filed under seal. **IT IS FURTHER ORDERED**, that within 14 days, Delaware shall submit a version of the Opposition and associated exhibits with proposed redactions.

Dated:

Hon. Pierre N. Leval
Special Master