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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re PETITION OF INDEX
NEWSPAPERS LLC, d/b/a THE
STRANGER, TO UNSEAL
ELECTRONIC SURVEILLANCE
DOCKETS, APPLICATIONS, AND
ORDERS.

CASE NO. MC17-0145RSL
ORDER

This matter comes before the Court on The Stranger’s petition for an order (a) unsealing certain judicial records authorizing various forms of electronic surveillance of individuals and/or compelling service providers to assist with government surveillance and to disclose user data/customer records and (b) altering the docketing practices of the Western District of Washington to allow public access to these types of records in future cases. Dkt. # 1. Although the Court would normally undertake a jurisdictional analysis to assure itself that it has the power to hear and decide this matter, all interested parties – The Stranger, the United States Attorney’s Office for the Western District of Washington, and the Clerk of Court for the Western District of Washington – have acknowledged the Court’s administrative authority to alter its docketing practices and its ability to unseal information when the balance of public and private interests favor disclosure. The parties have also indicated a willingness to confer regarding the scope of the information petitioner seeks, the technical and practical challenges of

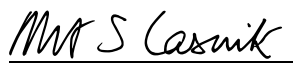
ORDER

1 providing that information, and the impact such disclosure would have on public and
2 private interests.

3 Having reviewed the submissions of the parties, the above-captioned matter is
4 hereby STAYED for sixty days during which the interested parties shall meet and confer
5 regarding ways to provide some or all of the requested relief without imposing undue
6 burden on respondents and without adversely affecting public safety, on-going criminal
7 investigations, and/or the privacy interests of uncharged targets of investigations. The
8 parties are encouraged to consider using a mediator to assist in this process.¹

9 The parties shall, within sixty days of the date of this Order, provide a joint status
10 report regarding their discussions, indicating whether additional time to develop the
11 factual record is needed, whether resolution of the petition on its merits is necessary, or
12 whether a status conference is appropriate.

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14 Dated this 7th day of June, 2018.

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16 Robert S. Lasnik
17 United States District Judge
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24 ¹One person who could act as mediator is former King County Superior Court Judge William L.
25 Downing who was Chair of the Washington State Bench Bar Press Liaison Committee and has decades
26 of experience working with courts and the media on access issues. If the parties agree to utilize Judge
Downing (Ret.) they should inform the Court as soon as possible: the Court will make arrangements to
obtain Judge Downing's assistance at no added expense to the parties.