

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

-----  
EMPLOYERS INSURANCE COMPANY  
OF WAUSAU,

Petitioner,

v.

ACE PROPERTY & CASUALTY  
INSURANCE COMPANY,

Respondent.  
-----

ORDER

16-cv-97-bbc

Petitioner Employers Insurance Company of Wausau is seeking confirmation of an arbitration award under the Federal Arbitration Act. Accompanying its petition is a motion to keep all case filings under seal. Dkt. #5. In support of this motion, petitioner attached an order from the arbitration panel that directed the parties to keep their filings confidential. Dkt. #5-1. However, the order does not provide any reasoning for the restrictions; it simply sets the terms.

When parties are litigating their dispute in arbitration, they are free to keep confidential anything they wish. Union Oil Co. of California v. Leavell, 220 F.3d 562, 568 (7th Cir. 2000). However, the rules change once the parties seek the assistance of the federal courts. Id. “What happens in federal courts is presumptively open to public scrutiny.” Hicklin Engineering, L.C. v. Bartell, 439 F.3d 346, 348 (7th Cir. 2006). Thus, if a party wishes to seal a document in federal court, she must show that a statute, rule or

privilege justifies confidentiality, at least if the document may affect the disposition of the case. E.g., In re Specht, 622 F.3d 697, 701 (7th Cir. 2010); United States v. Foster, 564 F.3d 852, 853 (7th Cir. 2009); Baxter International, Inc. v. Abbott Laboratories, 297 F.3d 544 (7th Cir. 2002).

Petitioner has not made that showing in this case. However, before I unseal the record, I will give petitioner an opportunity to show cause that each document in this case meets this circuit's standard for sealing documents.

#### ORDER

IT IS ORDERED that petitioner Employers Insurance Company of Wausau may have until March 18, 2016, to show cause why the filings in this case should not be unsealed.

Entered this 3d day of March, 2016.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge