

**United States District Court
Southern District of West Virginia**

**Notice of Electronic Availability of Case File Information
Amended to comply with the E-Government Act of 2002**

The Office of the Clerk is now accepting electronically filed documents and making the content of these pleadings available on the Court's Internet website via WebPACER or PACER CM/ECF. Pleadings that are not electronically filed are imaged and posted to the website as well. Any subscriber to WebPACER will be able to read, download, store and print the full content of electronically filed documents. The Clerk's Office will not make electronically available those documents that have been sealed or otherwise restricted by court order.

Filers shall not include sensitive information in any document filed with the Court unless such inclusion is necessary and relevant to the case. Filers must remember that any personal information not otherwise protected will be made available over the Internet via WebPACER. Filers must partially redact the following personal data identifiers whether filing traditionally or electronically: Social Security numbers to the last four digits, financial account numbers to the last four digits, names of minor children to the initials, dates of birth to the year, and home address to the city and state.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may:

(a) file a reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) under in its (their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier. The reference list must be filed under seal and may be amended as of right. It shall be retained by the court as part of the record; OR

(b) file an unredacted document under seal. This document shall be retained by the Court as part of the record. Filers will still be required to file a redacted copy for the public file.

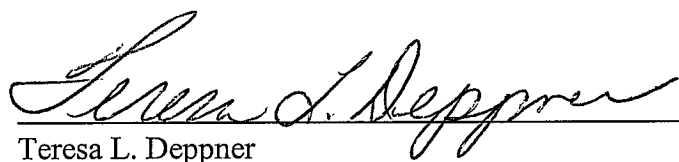
Because filings will be available remotely and may contain information implicating not only privacy, but also personal security concerns, filers must exercise caution when filing a document that contains any of the information below and consider filing a motion to seal if not filing a reference list. Until the Court has ruled on any motion to seal, neither the document that is subject to a motion to seal nor the motion itself or any response thereto will be available electronically or in paper form. Protected information includes:

- 1) any personal identifying number (e.g., driver's license number, Social Security numbers);
- 2) medical records, including both treatment and diagnosis;
- 3) employment history;
- 4) individual financial information;
- 5) proprietary or trade secret information;
- 6) information regarding an individual's cooperation with the government;

- 7) information regarding the victim of any criminal activity;
- 8) national security information;
- 9) sensitive security information as described in 49 U.S.C. § 114(s).

Counsel is strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain materials may be made. **If a redacted document is filed, it is the sole responsibility of counsel and the parties to be sure that all pleadings comply with the rules of this court requiring redaction of personal data identifiers. The Clerk will not review each pleading for redaction.**

Date: June 6, 2005


Teresa L. Deppner