

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA :
 :
 v. : Criminal No. 21-CR-245 (AJT)
 :
 IGOR Y. DANCHENKO, :
 :
 Defendant. :

THE GOVERNMENT’S MOTION TO SEAL

Pursuant to Local Criminal Rule 49(E), the United States moves for an Order sealing the “Government’s Witness List.” A proposed Order is attached for the Court’s consideration.

I. Items to be Sealed and Necessity for Sealing

The Government respectfully requests the Court to seal the “Government’s Witness List” at this time. Given that this case has garnered significant media attention, the government is concerned about the potential harassment of its witnesses should they be identified this far in advance of trial. The government has provided defense counsel with a copy of its witness list. The government proposes to publicly file its witness list on October 10, 2022. Defense counsel does not object to this course of action.

II. Precedent for Sealing Documents

The Court has the inherent power to seal materials submitted to it. *See United States v. Wuagneux*, 683 F.2d 1343, 1351 (11th Cir. 1982); *State of Arizona v. Maypenny*, 672 F.2d 761, (9th Cir. 1982); *Times Mirror Company v. United States*, 873 F.2d 1210 (9th Cir. 1989); *see also Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975); *United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1980); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975). “The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public’s right of

access is outweighed by competing interests.” *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984).

III. Period of Time to Have the Document Under Seal

The Government respectfully requests that the materials remain under seal until further order of the Court. Accordingly, the Government respectfully requests that an Order be entered allowing the aforementioned material to be placed under seal.

Respectfully submitted,

JOHN H. DURHAM
Special Counsel

By:

/s/
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Certificate of Service

I hereby certify that on the 7th day of October, 2022, I electronically filed a copy of the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

By:

/s/
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ORDER TO SEAL

This matter having come before the Court on the United States’ Motion to Seal pursuant to Local Criminal Rule 49(E) and for good cause shown, it is

ORDERED that the “Government’s Witness List” shall be maintained under seal and will remain under seal until further order of the Court.

The Honorable Anthony J. Trenga
United States District Judge