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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CASE NO. CR 22-00058-JAO-KJM-01
)	
Plaintiff,	)	MOTION TO FILE UNDER SEAL
	)	EXHIBIT B TO THE UNITED STATES
vs.	)	OF AMERICA’S RESPONSE IN
	)	OPPOSITION TO SULLA’S MOTION
PAUL JOSEPH SULLA, JR., (01)	)	FOR BAIL PENDING APPEAL;
	)	EXHIBIT A; CERTIFICATE OF
Defendant.	)	SERVICE
)	
)	
)	

MOTION TO FILE UNDER SEAL EXHIBIT B
TO THE UNITED STATES OF AMERICA’S RESPONSE IN OPPOSITION TO
SULLA’S MOTION FOR BAIL PENDING APPEAL

The United States of America moves this Honorable Court pursuant to the Local Rules of Practice for the United States District Court for the District of Hawaii for an order sealing Exhibit B to its Response in Opposition to Sulla's Motion for Bail Pending Appeal, ECF No. 722.

Criminal Local Rule 5.2(b) states that parties may move to file any exhibit under seal if it contains confidential information. Defendant Sulla's Motion for Bail Pending Appeal, ECF No. 719, raises issues regarding his medical condition. Accordingly, the United States' Response in Opposition refers to portions of Sulla's confidential BOP medical records and includes a placeholder for those records (Exhibit B). *See* ECF No. 722-2. Although some of the pages contained within the actual Exhibit B reflect medical information that Sulla has previously disclosed on the public docket in this action, the pages also reflect previously undisclosed medical information and contain personal identifiers.

The common law presumes a right of access to judicial records. *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978). Nevertheless, a party seeking to seal documents may do so by demonstrating "compelling reasons" that outweigh the presumption of public access to such records. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Several courts in this District, including this Court, have recognized that the need to protect medical privacy qualifies in general as a compelling reason. *See, e.g., United States v. Sos*,

No. CR 19-00066-JAO, 2021 WL 3130865, at *1 (D. Haw. July 23, 2021) (Judge Otake); *United States v. Masuisui*, No. CR 14-00173-DKW-1, 2020 WL 4208919, at *1 (n.1) (D. Haw. July 22, 2020) (Chief Judge Watson); *Raymond v. Cnty. of Kauai*, No. CV 15-00212-ACK-RLP, 2019 WL 11234194, at *2 (D. Haw. Mar. 1, 2019) (Magistrate Judge Puglisi). Accordingly, the United States submits there is a compelling reason to seal Exhibit B to its Response in Opposition to Sulla's Motion for Bail Pending Appeal, ECF No. 722.

Attached hereto as Exhibit A is a proposed order sealing Exhibit B to the United States' Response in Opposition to Sulla's Motion for Bail Pending Appeal. The United States will also provide the Court's chambers with a copy of the sealed exhibit, as well as an electronic version of the proposed order, as required. *See* CrimLR5.2(b)(1)(E)(i), (ii).

DATED: May 8, 2026, at Honolulu, Hawaii.

Respectfully submitted,

KENNETH M. SORENSON
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District of Hawaii

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on the following individuals on the date and in the manner described below:

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DATED: May 8, 2026, at Honolulu, Hawaii.

/s/ Mohammad Khatib
Assistant United States Attorney
District of Hawaii

EXHIBIT A

KENNETH M. SORENSON
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Attorneys for Plaintiff
UNITED STATES OF AMERICA

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FOR THE DISTRICT OF HAWAII

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Plaintiff,)	PROPOSED ORDER GRANTING
)	MOTION TO FILE UNDER SEAL
vs.)	EXHIBIT B TO THE UNITED STATES
	)	OF AMERICA’S RESPONSE IN
PAUL JOSEPH SULLA, JR., (01)	)	OPPOSITION TO SULLA’S MOTION
	)	FOR BAIL PENDING APPEAL
Defendant.)	
)	
)	
)	

PROPOSED ORDER GRANTING MOTION TO FILE UNDER SEAL
EXHIBIT B TO THE UNITED STATES OF AMERICA’S RESPONSE IN
OPPOSITION TO SULLA’S MOTION FOR BAIL PENDING APPEAL

The United States of America has moved this Court pursuant to LR5.2(b) of the Local Rules of Practice for the United States District Court for the District of Hawaii for an Order sealing Exhibit B its Response in Opposition to Sulla's Motion for Bail Pending Appeal.

The Court has reviewed the moving papers, as well as the subject document and finds that the document contains the contents of the defendant's confidential medical records.

Accordingly, a compelling reason appearing therefore, it is hereby ORDERED that the Exhibit B to the United States of America's Response in Opposition to Sulla's Motion for Bail Pending Appeal shall be filed under seal and remain sealed.

DATED: Honolulu, Hawaii, _____.

JILL A. OTAKE
United States District Court Judge
District of Hawaii

United States v. Paul Joseph Sulla, Jr., Case No. CR 22-00058-JAO-KJM-01
"Proposed Order Granting Motion To File Under Seal Exhibit B to the United States of America's Response In Opposition To Sulla's Motion for Bail Pending Appeal"