

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

**SECOND AMENDED GENERAL ORDER REGARDING  
PROCEDURES FOR THE FILING, SERVICE, AND  
MANAGEMENT OF HIGHLY SENSITIVE DOCUMENTS**

The Court finds that, pursuant to Civil Rule 5(d)(3)(A) and Criminal Rule 49(b)(3)(A), good cause exists to require all parties to file certain Highly Sensitive Documents (“HSD”) outside the Court’s electronic filing system. It is the responsibility of the party, including the Department of Justice and law enforcement agencies, to identify highly sensitive documents and to file them with the Court in accordance with this order.

**IT IS HEREBY ORDERED** that, effective as of the date of this order and until the Court orders otherwise, the filing of HSD shall be subject to the procedures and requirements set forth below. This General Order supersedes all inconsistent provisions in existing local rules or other general orders of this Court.

**1. Documents Subject to this Order**

The filing procedures set forth below apply to documents that contain highly sensitive information. The Court deems the following to be HSDs: *ex parte* sealed filings relating to national security investigations, cyber investigations, and especially sensitive public corruption investigations; and documents containing a highly exploitable trade secret, financial information, or computer source code belonging to a private entity, the disclosure of which could have significant national or international repercussions.

Additionally, if a party believes that a document contains information that is so sensitive that disclosure would cause a high risk of imminent and extreme harm to an identifiable person or entity, they may file a motion to have that document designated as an HSD.

Any dispute about whether a document is an HSD will be resolved by the presiding judge or, when no presiding judge is assigned, the Chief Judge.

**2. Filing of Motions to Treat a Document as an HSD**

- a. A party shall file a Motion under seal to treat a document as an HSD electronically on CM/ECF, except that a copy of the proposed HSD shall not be filed electronically.
- b. As soon as practicable after the motion is filed, the filing party shall deliver to the Clerk’s Office two copies of the HSD sought to be filed or a copy on a secure

electronic device. These documents or secure electronic devices should be securely packaged and labeled HIGHLY SENSITIVE DOCUMENT.

- c. The filing party shall serve the HSD on the other parties as follows:
  - i. Civil cases - by any manner specified in Civil Rule 5(b)(2), except for service through the Court's electronic filing system; or
  - ii. Criminal cases - by any manner specified in Criminal Rule 49(a)(3)(B) or (a)(4).
  
- d. The Court will issue an order on the motion and, if granted, the Clerk will make an informational entry on the case docket showing that the HSD has been filed with the Court. The Clerk's Office will maintain the HSD in a secure paper filing system or a secure standalone computer system that is not connected to any network.

**3. Questions about HSD Filing Procedures**

Any party with questions about how an HSD should be filed with the Court pursuant to this General Order should call the Clerk's Office at 401-752-7200.

**IT IS SO ORDERED.**

By the Court:

DATE: April 29., 2024

/s/ John J. McConnell Jr., Chief Judge