

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 28 April 2017**

CASE NO. 2017-OFC-00004

*In the Matter of*

**OFFICE OF FEDERAL CONTRACT  
COMPLIANCE PROGRAMS,  
U.S. DEPARTMENT OF LABOR,**  
Plaintiff,

v.

**GOOGLE INC.,**  
Defendant.

**ORDER UNSEALING RECORD ON GOOGLE'S MOTION TO DISMISS**

On April 18, 2017, Google filed a motion to dismiss. OFCCP filed an opposition on April 25, 2017. Before adjourning the hearing on April 7, 2017, I ordered that any materials on this motion be filed under seal. The purpose was to allow an *in camera* review to determine whether any party or other person was entitled to protection from public disclosure of any portion of the materials filed. *See* 29 C.F.R. § 18.85.

Generally, material on the record may be sealed to protect against undue disclosure of privileged communications or sensitive or classified matters. 29 C.F.R. § 18.85(a). The reasons for sealing records must outweigh the presumption of public access. *Id.* § 18.85(b)(2). "Unless the necessary redactions would be so extensive that the public version would be meaningless, or making even a redacted version or summary available would defeat the reason the original is sealed," a redacted version or summary of the sealed document must be made part of the public record. *Id.* § 18.85(b)(1).

Having reviewed *in camera* the materials filed on the motion, I found nothing of a privileged, sensitive, or classified nature that outweighed the presumption of public access. I therefore notified the parties that I would unseal the record on the motion unless I received objections by

noon on Friday, April 28, 2017. Neither party objects. Accordingly,

All materials on Google's motion to dismiss (filed April 18, 2017) are UNSEALED.

This Order will be served on counsel for Plaintiff and counsel for Defendant by email or facsimile. All other service is by U.S. mail.

SO ORDERED.

STEVEN B. BERLIN  
Administrative Law Judge