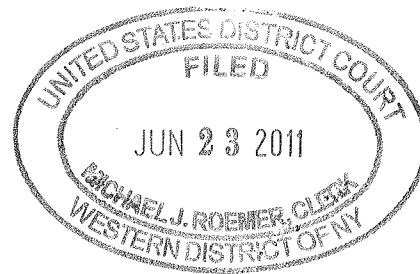


UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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IN THE MATTER OF RESPONSES  
TO MEDICARE DEMAND FILED IN  
PRISONER CIVIL RIGHTS  
ACTIONS (42 U.S.C. 1983)

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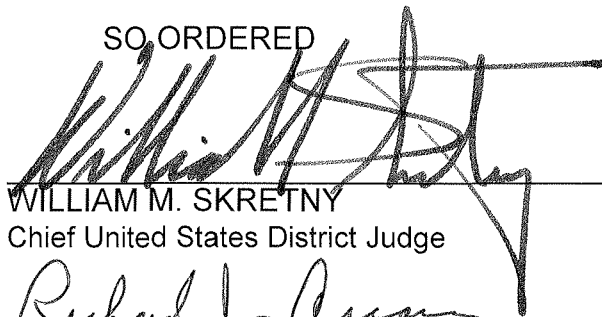
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### GENERAL ORDER

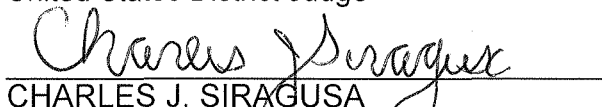
Pursuant to 42 U.S.C. § 1395y(b)(8) and 42 C.F.R. § 411.23, defendants in prisoner civil rights cases have filed and will continue to file discovery requests pursuant to Rules 26, 33 and 34 of the Federal Rules of Civil Procedure requesting information regarding whether the plaintiff has presently, or has ever, been enrolled in Medicare benefits (hereinafter referred to as "Medicare Demand"), and if yes, requesting additional information from the plaintiff--*e.g.*, Social Security Number, Medicare Claim Number, Date of Birth--that is or may be personal and/or confidential pursuant to Rule 5.2 of the Federal Rules of Civil Procedure and should not be docketed either manually or electronically on the Clerk of the Court's Docket Report. Because the Court's Local Rules of Civil Procedure, Rule 7.1(a)(1), direct that all discovery materials in *pro se* cases be filed, the Court finds it necessary to direct that the personal and/or confidential information set forth by plaintiffs in their responses to defendants Medicare Demand be filed and/or docketed under seal. Accordingly,

IT IS HEREBY ORDERED that all responses of a plaintiff to a Medicare Demand filed and served by defendants, pursuant to 42 U.S.C. § 1395y(b)(8) and 42 C.F.R. § 411.23, shall be sealed by the Clerk of the Court automatically without further order from the Court. The response to a Medicare Demand shall not be unsealed, either *sua sponte* or on motion by any party, without an order from the District Judge or Magistrate Judge assigned to the case.

SO ORDERED

  
WILLIAM M. SKRETNY  
Chief United States District Judge

  
RICHARD J. ARCARA  
United States District Judge

  
CHARLES J. SIRAGUSA  
United States District Judge

  
JOHN T. CURTIN  
Senior United States District Judge

  
MICHAEL A. TELESCA  
Senior United States District Judge

  
DAVID G. LARIMER  
Senior United States District Judge

Dated: 6/23, 2011  
Buffalo and Rochester, New York