

FACTS

Plaintiffs filed the instant action in alleging employees of Defendant conspired and discriminated against , a then student enrolled at Defendant.

The issues in this case were disposed of and Plaintiffs' Complaint was dismissed with prejudice and affirmed by the Appellate Division.

However, Plaintiffs are concerned with the language used in the Appellate Division's Opinion.

Namely, that the Opinion repeatedly cites that , suffers from a "language based disability" and there is at least one direct reference to , suffering from cancer as a result of the matter giving rise to the litigation.

The only references to , and medical conditions appear in the Special Civil Part transcript of and the Opinion.

The language in the Opinion, although unpublished, has caused Movants to suffer severe anxiety and distress because the Opinion is accessible via the internet.

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• • • In the case at bar, upon learning that the Opinion was accessible via the internet on sites such as LexisNexis, West Law, and other legal websites, became depressed and her health declined. As a result of Movants learning that the Opinion cites disability and cancer, has developed difficulty sleeping and severe anxiety. Movants' have developed severe paranoia to the extent that their health has declined and they are convinced that the reference in the Opinion of their medical issues has had and will have a negative impact on their lives. Therefore, the effect the medical references in the Opinion have had on Movants has caused them to suffer serious injury as their health has declined.

Secondly, Movants' requested modification to the Opinion does not change the substance of same. Clearly, a person has a substantial interest in the privacy of their own medical conditions. Neither medical condition nor medical condition were the subject of this litigation. Furthermore, no discovery took place regarding these conditions. Rather, the only reference to the medical conditions exists in the Special Civil Part transcript and the Opinion. Therefore, Movants request the record be

impounded and the Opinion be modified to remove all reference to the medical conditions of Plaintiffs.

CONCLUSION

In light of the forgoing, Movants respectfully request the Court Impound the Record in this matter and modify the Court's unpublished opinion to redact all reference to language-based disability and cancer.