

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

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In re:

IMMANUEL LLC,  
Debtor.

Case No. DT 10-11585  
Chapter 11  
Hon. Scott W. Dales

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ORDER DENYING TRANSCRIPT REDACTION REQUEST

PRESENT: HONORABLE SCOTT W. DALES  
United States Bankruptcy Judge

To assist in settling an order, the court asked its court reporter to prepare a transcript of the March 16, 2011 hearing, held in Traverse City. As requested, the court reporter filed the transcript of the March 16, 2011 hearing (the “Transcript,” DN 171) on March 27, 2011.

Pursuant to Administrative Order No. 08-03 (the “Admin. Order”), the court has restricted electronic public access to the Transcript until June 27, 2011. *See* Admin. Order at ¶ A.2. Recognizing that transcripts, like other court filings, may contain personal identifiers within the meaning of Bankruptcy Rule 9037(a), the court’s transcript policy permits an interested party to file a notice of intent to request redaction followed by a request for redaction under Bankruptcy Rule 9037(a). *See* Admin. Order at ¶¶ B & C. Within the allowed time, Immanuel LLC (the “Debtor”) filed its Notice of Intent to Request Transcript Redaction (DN 181) and its Request for Redaction of Transcript (the “Redaction Request,” DN 185).

The court has reviewed the Redaction Request, and concludes that it does not seek to prevent disclosure of personal identifiers within the meaning of Bankruptcy Rule 9037(a), but rather seeks to redact the court’s comments about allegations that the Debtor’s adversaries have

made during the proceedings. Because the Debtor is seeking to redact portions of the Transcript that do not include personal identifiers, the court finds that the Redaction Request is not proper, and therefore will deny it. Accordingly, the court reporter and other court personnel may conduct themselves as if the Redaction Request had not been filed.

The court will not permit the policies favoring public access to court proceedings to be subverted by filing an administrative transcript redaction request, which might escape the court's attention, rather than a motion, which would not. If the Debtor believes it has colorable grounds for filing a motion for a protective order regarding the court's comments made on the record, the Debtor must file a motion pursuant to Bankruptcy Rule 9037(a). *See* Admin. Order at ¶ C.1.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Redaction Request (DN 185) is DENIED and the court reporter and other court personnel shall disregard it.

IT IS FURTHER ORDERED that the Clerk shall serve a copy of this Order upon Tamar N. Dolcourt, Esq., Judy A. O'Neill, Esq., Michael I. Conlon, Esq., Kent E. Gerberding, Esq., Frederick R. Bimber, Esq., William B. Calcutt, Esq., Michelle M. Wilson, Esq., and all ECF registered users in this case, pursuant to Fed. R. Bankr. P. 9022 and LBR 5005-4.

END OF ORDER

**IT IS SO ORDERED.**



  
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Scott W. Dales  
United States Bankruptcy Judge

**Dated: April 18, 2011**