SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

JANE DOE,	:	
	:	
Plaintiff,	:	
	:	**Case No. 2023 CAB 1645**
v.	:	**Judge Todd E. Edelman**
	:	
PRESIDENT AND FELLOWS OF MIDDLEBURY COLLEGE, *et al.*,	:	
	:	
Defendants.	:	

ORDER

This matter comes before the Court on Plaintiff Jane Doe's Motion for Leave to Proceed Anonymously ("Plaintiff's Anonymity Motion"), filed March 10, 2023, and Plaintiff Jane Doe's Motion to Exclude University Defendants' Inadmissible Evidence and Strike Immaterial or Impertinent Rebuttal ("Plaintiff's Motion to Exclude"), filed June 21, 2023. For the reasons stated *infra*, Plaintiff's Anonymity Motion and Plaintiff's Motion to Exclude are denied.

I. Background

Plaintiff brought this lawsuit against numerous defendants alleging *inter alia* employment discrimination, harassment, forced labor, trafficking in labor or commercial sex acts, and bias-related crime. Am. Compl. at 2. Plaintiff contends that she has been working in the "accelerationism" subfield of terrorism studies since 2015, and that from 2018 to 2021 she "was driving a series of ground-breaking advancements" in the field when the Defendants coerced her to provide her labor and services to them against her will. *Id.* ¶¶ 1, 3, 48. According to Plaintiff, the "intellectual core" of Middlebury College's Accelerationism Research Consortium ("ARC") is "derived exclusively from the [P]laintiff's labor," yet she was excluded from the venture

because of her disabilities. *Id*. ¶¶ 5, 7-8, 19. Plaintiff asserts that Defendants carried out a campaign of harassment and emotional abuse that denied her credibility, equal treatment, benefits, and opportunities. *Id*. ¶¶ 2-3. She further states that Defendants' actions have driven her out of her field of study such that she "will never be able to return to the workplace or higher education because of injuries resulting from the [D]efendants' actions." *Id*. ¶ 13.

Plaintiff alleges Counts I-IV pursuant to the District of Columbia Human Rights Act ("DCHRA"), D.C. Code §§ 2-1402.01-.105. She alleges that (i) Defendants "maintain[ed] a discriminatory employment scheme, plan, or pattern that systematically and intentionally result[ed] in the disparate treatment of the [P]laintiff . . . because of or arising from her protected medical condition," Am. Compl. ¶ 196; (ii) Defendants engaged in "unlawful harassment or fostered a hostile work environment for the [P]laintiff on the basis of disability discrimination," *id*. ¶ 202; (iii) Defendants retaliated against her for protected activity that included "[P]laintiff's public or private opposition to the [D]efendants' patterns or practices of discrimination and harassment on the basis of disability," and later filing of a claim with the Equal Employment Opportunity Commission ("EEOC"), *id*. ¶¶ 232, 235; and (iv) Defendants aided and abetted acts of discrimination, harassment, or retaliation by furthering and seeking to make the discrimination and harassment of other Defendants succeed, *id*. at ¶¶ 248, 254, 265-292.

Plaintiff brings Counts V-VIII pursuant to the Prohibition Against Human Trafficking Amendment Act, D.C. Code §§ 22-1831-1847. These counts allege that (v) Defendants "knowingly used prohibited means to cause the [P]laintiff to provide labor or services" by "manipulat[ing] her pre-existing belief that her failure to work would result in serious physical harm to members of the public," Am. Compl. ¶¶ 302, 311; (vi) Defendants "enter[ed] into an agreement, explicitly or tacitly, intended to deprive the [P]laintiff of her skilled labor and

contractual autonomy," and some Defendants used means of coercion to secure Plaintiff's labor while others "recruited, enticed, provided, obtained, or maintained the [P]laintiff's provision of labor or services knowing that it was caused by means of coercion," *id.* ¶¶ 342, 347-48; (vii) Defendants "knowingly benefitted financially from the trafficking offenses" because the Defendants all had at least constructive knowledge of, and participated in, a venture that allowed some Defendants to use Plaintiff's work as the labor basis for the ARC, *id.* ¶¶ 365, 371, 373-76;[1] and (viii) Defendants engaged in labor exploitation based on Plaintiff's actual or perceived disabilities evidenced by the alleged statements from some Defendants that Plaintiff's disabilities were their motivation for the acts described in the Amended Complaint and via the doctrine of *respondeat superior* for other Defendants, *id.* ¶¶ 390, 394, 396-97.

II. Plaintiff's Motion to Exclude

Plaintiff's Motion to Exclude asks the Court "to exclude University Defendants' extrinsic evidence in its Opposition to Plaintiff's Motion to Proceed Anonymously" and to "strike Exhibits (A)-(F) [] and any arguments and conclusions in the Opposition supported by or derived from the inadmissible hearsay[.]" Mot. to Exclude at 1. The University Defendants filed their Opposition to Plaintiff's Motion to Exclude ("Defendants' Opposition to Motion to Exclude") on July 5, 2023, to which Plaintiff filed her Reply on July 10, 2023.

[1] Plaintiff's Amended Complaint makes Count VII contingent upon Counts V and VI. *See* Am. Compl. ¶ 365 ("If this Court finds that the acts alleged in Counts V and VI violated D.C. Code §§ 22-1832 or 22–1833, Doe further alleges. . .").

A. Legal Standard

Plaintiff moves to exclude the exhibits attached to Defendants' Opposition to Plaintiff's Motion to Exclude and the arguments and conclusions based thereon pursuant to D.C. Superior Court Rule of Civil Procedure 12(f). *See* Mot. to Exclude at 1. Pursuant to that Rule, "[t]he court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." Super. Ct. Civ. R. 12(f).

Courts generally disfavor motions to strike. *Franco v. Nat'l Cap. Revitalization Corp.*, 930 A.2d 160, 166 (D.C. 2007) (citing *Sweeney v. Am. Registry of Pathology*, 287 F. Supp. 2d 1, 5 (D.D.C. 2003); *Nwachukwu v. Karl*, 216 F.R.D. 176, 178 (D.D.C. 2003); 5C CHARLES ALAN WRIGHT & ARTHUR R. MILLER, FEDERAL PRACTICE AND PROCEDURE: CIVIL 3D § 1380, at 394 (2004)). Motions to strike are only appropriate "when 'weighing the legal implications to be drawn from uncontroverted facts.'" *District of Columbia v. Equity Residential Mgmt.*, No. 2017 CA 008334 B, 2019 D.C. Super. LEXIS 91, *3 (D.C. Super Ct. Nov. 4, 2019) (quoting *Franco*, 930 A.2d at 166). Such motions should be denied "if [the defense] fairly presents a question of law or fact which the court ought to hear." *Franco*, 930 A.2d at 166 (quoting *Securities & Exchange Commission v. Gulf & W. Indus., Inc.*, 502 F. Supp. 343, 345 (D.D.C. 1980)) (alteration in original). "Before [a motion to strike] can be granted the Court must be convinced that there are no questions of fact, that any questions of law are clear and not in dispute, and that under no set of circumstances could the [opposing party] succeed." *District of Columbia v. Equity Residential Mgmt., LLC*, No. 2017 CA 008334 B, 2020 D.C. Super. LEXIS 11, *3 (D.C. Super. Ct. June 29, 2020) (alteration in original) (internal quotations omitted). A trial judge "draws all reasonable inferences in favor of the [opposing] party . . . and resolves 'all doubts in favor of denying the motion.'" *See Franco*, 930 A.2d at 169 (quoting

Nwachukwu, 216 F.R.D. at 178). "Even when technically appropriate and well-founded, Rule 12(f) motions often are not granted in the absence of a showing of prejudice to the moving party." *Ts v. Pub. Broad. Serv.*, No. 2018 CA 001247 B, 2019 D.C. Super. LEXIS 223, *2-3 (D.C. Super. Ct. Dec. 26, 2019) (quoting *Malibu Media LLC v. Doe*, No. 14-5265 (FLW) (DEA), 2015 U.S. Dist. LEXIS 141503, at *5 (D.N.J. Oct. 19, 2015)) (internal quotations omitted).

B. Analysis

Plaintiff asks the Court to strike the University Defendants' exhibits because (i) the evidence is unidentified or unauthenticated, Mot. to Exclude at 4-7; (ii) the evidence is immaterial or impertinent without a hearsay exception, *id.* at 8-10; and (iii) the evidence circumvents the principle of completeness, *id.* at 10-12. She further asks that the Court strike the arguments relying on the evidence as redundant, immaterial, or impertinent. *Id.* at 12-15. The University Defendants respond that (i) the Motion does not satisfy the standards for a motion to strike, Opp'n to Mot. to Exclude at 3-4; (ii) the Motion seeks to circumvent the Court's page limit for Reply briefs, *id.* at 2-3; (iii) Plaintiff does not dispute the authenticity of the exhibits provided, *id.* at 4-5; (iv) Plaintiff has admitted that some of the exhibits are authentic, *id.* at 5-6; and (v) the exhibits are not impertinent or immaterial, *id.* at 6-8.

Plaintiff has not shown that the exhibits and related arguments she moves to strike are unfairly prejudicial to her or that their removal from the case at this time would avoid wasting unnecessary time and money. *See District of Columbia v. Equity Residential Mgmt.*, 2019 D.C. Super. LEXIS 91 at *3; *Ts v. Pub. Broad. Serv.*, 2019 D.C. Super. LEXIS 223 at *2-3. At this early stage in the case, the Court cannot say that there are no questions of fact or law to be determined. *District of Columbia v. Equity Residential Mgmt.*, LLC, 2020 D.C. Super. LEXIS

11, at *3. While Plaintiff raises numerous evidentiary objections to the disputed materials, most of those objections would relate to the admissibility of this evidence at trial. The Court is not convinced that much of this evidence would ultimately be deemed inadmissible at trial and notes the relaxed evidentiary standards that generally apply to pretrial motions such as Plaintiff's Anonymity Motion. Given that the Court must (i) draw all reasonable inferences in favor of the Defendants, (ii) resolve all doubts in favor of denying the Motion; and (iii) merely find that the University Defendants' exhibits and arguments relying on them are supported with some particularized detail, *see Organic Consumers Ass'n v. General Mills*, No. 2016 CA 006309 B, 2017 D.C. Super. LEXIS 70, *2-3 (D.C. Super. Ct. November 14, 2017), the Court, at this preliminary stage in the litigation, declines to use its discretionary power to strike Defendants' exhibits or the arguments relying upon them.[2]

III. Plaintiff's Anonymity Motion

Along with her Complaint, Plaintiff filed her Anonymity Motion asking to "proceed under a pseudonym due to the highly sensitive and private nature of facts involved in this case" and to "safeguard [Plaintiff's] privacy as well as her physical and emotional wellbeing." Anonymity Mot. at 1. Plaintiff contends that the factors that courts consider in evaluating anonymity motions weigh in her favor. *Id.* at 4-5. The University Defendants[3] filed their

[2] The Court notes that the circumstances of this case with respect to Plaintiff's Anonymity Motion weigh against anonymity with or without consideration of the exhibits to the University Defendants' Opposition to Plaintiff's Anonymity Motion and the arguments and conclusions based thereon.

[3] At the time of filing, the "University Defendants" included: American University, the George Washington University, the President and Fellows of Middlebury College, Chelsea Daymon, and Gina Ligon. Def.'s Opp'n to Anonymity Mot. at 1. Defendant Chelsea Daymon was subsequently dismissed from this matter. *See* August 14, 2023 Order.

Opposition to Plaintiff's Anonymity Motion ("Defendants' Opposition to Anonymity Motion") on May 30, 2023,[4] to which Plaintiff filed her Reply on June 16, 2023.

A. Legal Standard

Long-standing precedent recognizes "the public's legitimate interest in knowing all of the facts involved [in a case], including the identities of the parties." *United States v. Microsoft Corp.*, 56 F.3d 1448, 1463 (D.C. Cir. 1995) (quoting *Doe v. Frank*, 951 F.2d 320, 322 (11th Cir. 1992)). As such, "parties to a lawsuit must typically openly identify themselves in their pleadings." *Id.* While courts have the discretion to allow parties to proceed anonymously, they must take into account "the risk of unfairness to the opposing party . . . as well [as] the 'customary and constitutionally-embedded presumption of openness in judicial proceedings.'" *Id.* at 1464 (citing *S. Methodist Univ. Ass'n of Women Law Students v. Wynne & Jaffe*, 599 F.2d 707, 713 (5th Cir. 1979) and quoting *Doe v. Stegall*, 653 F.2d 180, 186 (5th Cir. 1981)) (internal quotations omitted). Courts must "inquire into the circumstances of particular cases to determine whether the dispensation [of anonymity] is warranted." *Microsoft*, 56 F.3d at 1464.

"The moving party bears the weighty burden of both demonstrating a concrete need for such secrecy, and identifying the consequences that would likely befall it if forced to proceed in its own name." *In re Sealed Case*, 971 F.3d 324, 326 (D.C. Cir. 2020) (citing *In re Chiquita Brands Int'l, Inc. Alien Tort Statute & S'holder Derivative Litig.*, 965 F.3d 1238 (11th Cir. 2020)). "A plaintiff's desire 'merely to avoid the annoyance and criticism that may attend any litigation' is not sufficient to justify pseudonymous proceedings." *Qualls v. Rumsfeld*, 228 F.R.D. 8, 11 (D.D.C. 2005) (quoting *James v. Jacobson*, 6 F.3d 233, 238 (4th Cir. 1993)).

[4] Informa Tech LLC filed an Opposition to Plaintiff's Anonymity Motion on June 20, 2023; however, Informa was subsequently dismissed from this matter. *See* July 28, 2023 Order.

As both parties recognize, Anonymity Mot. at 4-5; Opp'n to Anonymity Mot. at 6, the Court must weigh five factors in determining whether to grant leave to proceed anonymously:

> [1] whether the justification asserted by the requesting party is merely to avoid the annoyance and criticism that may attend any litigation or is to preserve privacy in a matter of [a] sensitive and highly personal nature; [2] whether identification poses a risk of retaliatory physical or mental harm to the requesting party or even more critically, to innocent non-parties; [3] the ages of the persons whose privacy interests are sought to be protected; [4] whether the action is against a governmental or private party; and, relatedly [5] the risk of unfairness to the opposing party from allowing an action against it to proceed anonymously.

In re Sealed Case, 971 F.3d at 326-327 (citing *In re Sealed Case*, 931 F.3d 92, 97 (D.C. Cir. 2019)) (alteration in original). These factors do not constitute an exhaustive list as long as courts "consider[] the factors relevant to the case before it," *In re Sealed Case*, 931 F.3d at 97, and appropriately "balance the litigant's legitimate interest in anonymity against countervailing interests in full disclosure," *id.* at 96 (citing *Sealed Plaintiff v. Sealed Defendant*, 537 F.3d 185, 189 (2d Cir. 2008)).

B. Analysis

1. Preservation of Privacy

Plaintiff states that she "seeks to proceed pseudonymously to avoid unnecessary publicity concerning her disability." Anonymity Mot. at 5. She further states that this matter surrounds "highly sensitive and personal information" the disclosure of which, alongside her name, could have adverse effects on her ability to pursue educational and employment opportunities outside of her chosen profession and area of expertise. *Id.* at 5-6. Lastly, she suggests that any disclosures could negatively impact her work as a volunteer firefighter and EMT due to a loss of trust from her patients and their families. *Id.* at 6. Defendants assert that (i) disclosure of a

disability is not highly sensitive or personal, (ii) Plaintiff has not alleged anything sensitive in this matter, (iii) should Plaintiff need to provide any details regarding her diagnoses, a protective order is the correct course of action, and (iv) any alleged harm to Plaintiff's current work or future employment and educational prospects is speculative. Opp'n to Anonymity Mot. at 7-9.

A disability or medical concern may fall into the types of sensitive and highly personal information that allow for anonymity. *See In re Sealed Case*, 971 F.3d at 327 (this factor "commonly involves intimate issues such as sexual activities, reproductive rights, bodily autonomy, medical concerns, or the identity of abused minors"). The Court takes Plaintiff's concerns about the public disclosure of her disabilities seriously. However, it is common practice for disability discrimination cases to proceed using the parties' real names in the public record. *See, e.g.*, *Shanks v. Int'l Union of Bricklayers & Allied Craftworkers*, No. 23-311 (CKK), 2023 U.S. Dist. LEXIS 169746 (D.D.C. Sep. 22, 2023) (employee alleged discrimination under the DCHRA on the basis of, *inter alia*, disability using his true name); *Waggel v. George Wash. Univ.*, No. 16-1412 (CKK), 2018 U.S. Dist. LEXIS 191702 (D.D.C. Nov. 9, 2018) (former psychiatry resident alleged employment discrimination under the DCHRA on the basis of disability using her true name); *Pauling v. District of Columbia*, 286 F. Supp. 3d 179 (D.D.C. 2017) (employee alleged employment discrimination under the DCHRA on the basis of, *inter alia*, disability using her true name); *Martin v. District of Columbia*, 78 F. Supp. 3d 279 (D.D.C. 2015) (employee alleged discrimination under the DCHRA on the basis of, *inter alia*, disability using her true name). Additionally, while Plaintiff's disabilities, as described in the Amended Complaint, *see* Am. Compl. ¶¶ 4-5, 18-19, 67-74, 95, create legitimate privacy concerns, there is no need for her to provide detailed descriptions of her disabilities in future filings (just as the undersigned has not done so in this Order). Plaintiff may also utilize the Superior Court Rules

and procedures that allow parties to seal documents entirely or in part (including previously-filed documents) and to seek protective orders as means to safeguard any information she presents about her disabilities. *See* Super. Ct. Civ. Rules; *Bird v. Barr*, No. 19-cv-1581, 2019 U.S. Dist. LEXIS 250206, *11 (D.D.C. June 6, 2019) ("Should additional, personal details . . . come to light as litigation continues, a protective order may be a more appropriate manner to address the[] privacy interests." (citing *Doe v. Teti*, No. 15-mc-01380 (RWR), 2015 U.S. Dist. LEXIS 142522, *2 (D.D.C. Oct. 19, 2015)). Accordingly, while the nature of Plaintiff's claimed disabilities generate legitimate privacy concerns, they do not create a compelling need for her to proceed pseudonymously in this litigation.

Plaintiff's concerns regarding potential adverse effects that the disclosure of her name could have on her future educational and employment prospects and her current work as a volunteer firefighter and EMT are purely speculative. Plaintiff has not given the Court any concrete reason beyond her own hypothetical statements to believe that the use of her real name would hinder her from pursuing a different career path or impact her ability to serve her community. Plaintiff has presented "hypothesized harms . . . in entirely conclusory form" that amount to speculation "devoid of factual corroboration or elucidation." *See In re Sealed Case*, 971 F.3d at 328. As explained *supra*, there are measures—such as requesting sealing and protective orders—that Plaintiff may take to withhold specific, sensitive information from the public record in this matter should she need to do so.

Plaintiff has shown that her claimed disabilities give rise to a legitimate privacy interest; nevertheless, as set forth *infra*, this factor does not weigh strongly in favor of anonymity in light of court mechanisms designed to keep certain sensitive information out of the public record. The

purely speculative nature of Plaintiff's contentions regarding her current and future education and employment prospects provide no basis for anonymity with respect to this factor.

2. Risk of Retaliatory Physical or Mental Harm

Plaintiff contends that "there is a tangible risk of both serious physical and mental harm" should she be identified as a party in this lawsuit. Anonymity Mot. at 7. She states that the Defendants' defamation of her (if continued) could inflame viewers on large media platforms to target her and threaten her physical safety, and that the use of her true name in this matter "would exacerbate the mental harm that [she] has already experienced." *Id.* Specifically, Plaintiff states that "[i]t would cause her additional stress and anxiety for Defendants to be allowed to use her identity against her in the public domain considering their past adverse actions." *Id.* The University Defendants respond that Plaintiff's speculation regarding the potential of harm is illogical because the named Defendants already know her true identity, and that she has only made conclusory statements regarding the potential for harm without any supporting evidence. Opp'n to Anonymity Mot. at 9-10.

Plaintiff's assertions of potential physical and mental harm do not generate "a concrete need for [] secrecy." *In re Sealed Case*, 971 F.3d at 326. Plaintiff's reference to private defamation using offensive stereotypes that could lead to "[c]omparable remarks on large media platforms," Anonymity Mot. at 7, is entirely hypothetical at this point. Plaintiff has provided no reason for the Court to believe that any alleged defamation would or could be repeated on large media platforms or that there is any likelihood of such remarks inflaming the passions of viewers to target Plaintiff. Plaintiff has not shown that her claims go beyond pure speculation of potential realities, and in this context, "[s]peculative assertions of harm will not suffice." *In re*

Sealed Case, 971 F.3d at 326. While Plaintiff asserts that in filing her Complaint, "she anticipated University Defendants would [] escalate the strategy and tactics that almost killed her by an order of magnitude" which poses "a tangible risk of serious physical or mental harm to the [P]laintiff," Reply at 4, she does not provide any specific ways in which this was done.[5] Accordingly, this factor weighs against anonymity.

3. Age

Plaintiff states that at the time of the alleged conduct at issue, she was between the ages of 31 and 34 years old. Anonymity Mot. at 8. Given that Plaintiff was an adult at the time of the alleged conduct, this factor weighs against anonymity. *See Roe v. Bernabei & Wachtel PLLC*, 85 F. Supp. 3d 89, 96 (D.D.C. 2015).

4. Nature of the Party

Plaintiff argues that the Defendants in this matter have public profiles, "do not have the same privacy expectations as ordinary citizens," are quasi-public citizens, are public figures, and are "public intellectuals." Anonymity Mot. at 8. It appears that the "University Defendants" include private universities and private citizens, some of whom may be considered "public figures." Nevertheless, none of the University Defendants are governments or government entities. While anonymity may be appropriate in litigation against the government, *see Qualls*, 228 F.R.D. at 11, that is not the case here. *See also Yaman v. U. S. Dep't of State*, 786 F. Supp.

[5] The Court notes that while Plaintiff acknowledges that the Defendants all know her identity, Anonymity Mot. at 2, she has not alleged or even suggested that Defendants have engaged in any such conduct since the inception of this litigation. Nor has she explained how, under these circumstances, proceeding anonymously in this litigation would prevent them from engaging in such conduct should they choose to do so. Further, as stated by Defendants, "Plaintiff has already widely disseminated her disputes with the [D]efendants to 'thousands' under her true name," Opp'n to Anonymity Mot. at 1, yet she has not identified any retaliatory physical or mental harm that she has suffered as a result.

2d 148, 153 (D.D.C. 2011). This factor thus weighs against anonymity. *See Bernabei & Wachtel*, 85 F. Supp. 3d at 96.

5. Risk of Unfairness

Plaintiff asserts that no party will be harmed by her anonymity in this matter because the Defendants already know her identity due to a prior EEOC charge that she filed against the same parties. Anonymity Mot. at 9. Defendants, however, note that Plaintiff's request is unfair in that it would allow Plaintiff, even after publicly disseminating her grievances against them, to now hide behind a pseudonym yet simultaneously force the Defendants to publicly defend against her allegations. Opp'n to Anonymity Mot. at 10. Defendants also state that Plaintiff's anonymity would hinder their ability to defend themselves against her allegations. *Id.* at 10-11. In the Court's view, there is little risk of unfairness to the defending party where, as is the case here, the Defendants already know Plaintiff's identity. *See Doe v. Washington Post*, No. 19-477, 2019 U.S. Dist. LEXIS 94422, *9 (D.D.C. Feb. 26, 2019); *Doe, Inc. v. Roe*, No. 21-mc-00043, 2021 U.S. Dist. LEXIS 156786, *11 (D.D.C. Apr. 28, 2021). Accordingly, this factor weighs in favor of anonymity.

6. Additional Considerations

In "consider[ing] the factors relevant to the case before it," *In re Sealed Case*, 931 F.3d at 97, the Court must also take into account (i) the fact that Plaintiff has already publicly aired her grievances against the Defendants, Opp'n to Anonymity Mot. at 2; and (ii) that she specifies, including in public filings in this matter, that she is "the foremost expert on militant accelerationism," Anonymity Mot. ¶ 2, a designation that likely makes it possible for someone

with access to the public filings to discern Plaintiff's identity. Plaintiff's public disclosure of grievances she now wishes to disassociate her name from, along with her repeated references to her highly specialized work, weigh against anonymity because both make her readily identifiable to a party insistent on identifying her. Similarly, the public interest in the openness of judicial proceedings, as described *supra*, militates strongly against Plaintiff's request for anonymity.

7. Balance of factors

At this stage of the litigation, the Court is not persuaded that Plaintiff has met her burden of showing a concrete need for the secrecy of her identity or tangible consequences likely to result from the use of her true name. *See In re Sealed Case*, 971 F.3d at 326. Plaintiff – an adult who has previously identified herself as a party to the dispute underlying this lawsuit, and who is bringing a lawsuit against individuals and non-governmental entities – has failed to identify "non-speculative privacy interests" that "outweigh the public's substantial interest in knowing the identities of parties in litigation." *Tolton v. Day*, No. 19-945 (RDM), 2019 U.S. Dist. LEXIS 155222, *4-5 (D.D.C. Sep. 11, 2019) (quoting *John Doe Company No. 1 v. Consumer Fin. Protection Bur.*, 195 F. Supp. 3d 9, 17 (D.D.C. 2016)). Plaintiff's concerns seem more akin to a desire "to avoid the annoyance and criticism that may attend any litigation." *In re Sealed Case*, 971 F.3d at 326-327. The five factors enumerated in the case law, the additional circumstances particular to this case, and the interest in open and public judicial proceedings combine to tip the balance decidedly against allowing to Plaintiff to proceed anonymously in this matter.

IV. Conclusion

For the foregoing reasons, it is this 19th day of October, 2023, hereby

ORDERED that Plaintiff's Anonymity Motion is DENIED; and it is

FURTHER ORDERED that Plaintiff's Motion to Exclude is DENIED; and it is

FURTHER ORDERED that further filings in this matter shall identify Plaintiff by her true name; and it is

FURTHER ORDERED that Plaintiff shall file a Second Amended Complaint consistent with the requirements of this Order on or before November 2, 2023.

Todd E. Edelman
Associate Judge
(Signed in Chambers)

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