

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE**

ELVIS HESTER,

*Plaintiff,*

v.

SHELBY COUNTY, TENNESSEE, *et al.*,

*Defendants.*

**Case No. 2:21-cv-02030-JTF-atc**

**MOTION REQUESTING COPIES OF FILED VIDEOS**

Pursuant to instructions from the Court, Fed. R. Civ. P. 7, and Local Rule 7.2, The Daily Memphian files this Motion Requesting Copies of Filed Videos. Specifically, The Daily Memphian seeks access to and copies of Exhibits A, C, and E to the Amended Complaint, ECF No. 35, in this civil rights case, which settled and closed in 2023. The videos at issue were physically filed with the clerk pursuant to this Court’s order on August 17, 2021. ECF No. 39. It is The Daily Memphian’s understanding that the requested videos are currently in the possession of the Court. Plaintiff does not object to the relief sought, but the Defendants do object to this Motion.

The Sixth Circuit has “long recognized a ‘strong presumption in favor of openness’ regarding court records.” *Rudd Equip. Co., Inc. v. John Deere Constr. & Forestry Co.*, 834 F.3d 589, 593 (6th Cir. 2016) (quoting *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1179 (6th Cir. 1983)). Despite the requested videos being part of the court’s file and, thus, court records, since August 2021, no party has moved to seal the requested videos. Given the lack of a sealing motion, let alone a sealing order, The Daily Memphian and the public should be granted access to and copies of the requested videos.

WHEREFORE, The Daily Memphian respectfully requests that the Court provide it with access to and copies of Exhibits A, C, and E to the Amended Complaint.

Respectfully Submitted,

By: /s/ Paul R. McAdoo  
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*Counsel for The Daily Memphian*

**CERTIFICATE OF CONSULTATION**

After consultation with the counsel for the parties via email sent on January 3, 2024, we were not able to come to an agreement on the relief sought in this Motion. Counsel for Plaintiff Craig Eddington informed me via email on January 3, 2024 that Plaintiff does not object to the Motion. On January 5, 2024, counsel for Defendants Robert D. Myers, informed me that the Defendants object to the relief sought in this Motion.

/s/ Paul R. McAdoo  
Counsel for The Daily Memphian

**CERTIFICATE OF SERVICE**

I hereby certify that on the 5th day of January, 2024, a copy of the foregoing filing was filed electronically. Notice of this filing will be served by operation of the Court's electronic filing system to all counsel of record.

/s/ Paul R. McAdoo  
Counsel for The Daily Memphian