

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

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UNIVERSAL HEALTH SERVICES, INC.,  
UHS OF D.C., INC., UHS CAPITOL  
ACQUISITION, LLC, and DISTRICT  
HOSPITAL PARTNERS, L.P.,

*Plaintiffs,*

v.

THE GEORGE WASHINGTON  
UNIVERSITY and MEDICAL FACULTY  
ASSOCIATES, INC.,

*Defendants.*

Case No. 2024-CAB-002082

Judge Yvonne Williams  
Next Court Date: February 14, 2025  
Event: Remote Status Conference

Related Cases: *The George Washington  
University, et al. v. Universal Health  
Services, Inc., et al.*, No. 2024-CAB-002307;  
*Universal Health Services, Inc., et al. v. The  
George Washington University, et al.*, No.  
2024-CAB-002631

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**UHS PLAINTIFFS' UNOPPOSED MOTION TO SEAL AND REDACT ORDER  
COMPELLING ARBITRATION AND STAYING CASES**

Plaintiffs Universal Health Services, Inc., UHS of D.C., Inc., UHS Capitol Acquisition LLC, and District Hospital Partners, L.P. (together, "UHS"), with the consent of Defendants The George Washington University and the Medical Faculty Associates (together, "GWU"), respectfully move this Court to seal and enter a redacted version of the August 28, 2024 Order on the public docket in Case No. 2024-CAB-002082. The grounds justifying the requested relief are set forth in the Statements of Points and Authorities below.

Dated: September 6, 2024

Respectfully submitted,

/s/ Gary A. Orseck

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**STATEMENTS OF POINTS AND AUTHORITIES IN SUPPORT OF  
UHS PLAINTIFFS' UNOPPOSED MOTION TO SEAL AND REDACT ORDER  
COMPELLING ARBITRATION AND STAYING CASES**

In support of this motion, UHS states as follows:

1. On May 6 2024, UHS filed under seal an amended complaint in the above-captioned action and attached exhibits that included the Operating and Academic Affiliation Agreement, dated May 28, 2022 (“OAAA”).

2. The parties’ dispute concerns the OAAA, which was executed as part of a corporate transaction, along with a Confidentiality Agreement that designated the OAAA and other related transaction documents as Confidential Information prohibited from disclosure. As such, the parties have filed documents that include terms of the OAAA under seal.

3. On August 1, 2024, both parties were notified by the Court that it would no longer be granting motions to seal, and filings would need to be made with redactions moving forward.

4. Pursuant to the Court’s order and guidance from the Court’s clerk during a discussion on August 8, 2024, that included counsel for both parties, the parties have since filed documents on the public docket with confidential portions redacted, providing an unredacted version to the Court as a courtesy copy.

5. On August 28, 2024, the Court entered an Order compelling arbitration and staying this Action and related cases. This Order described confidential OAAA terms, which parties do not object to being made public, except for the specific percentage of Designated Facilities’ Net Patient Service Revenue that UHS has agreed to pay GWU (located in the fourth line from the bottom of page 2 of the Order). Accordingly, UHS requests the Court enter the Order with that confidential portion redacted.

6. In resolving a motion to seal, this Court considers the following factors:

(1) the need for public access to the documents at issue; (2) the extent to which the public had access to the document prior to the sealing order; (3) the fact that a party has objected to disclosure and the identity of that party; (4) the strength of the property and privacy interests involved; (5) the possibility of prejudice to those opposing disclosure; and (6) the purpose for which the documents were introduced.

*J.C. v. District of Columbia*, 199 A.3d 192, 207 (D.C. 2018). In this case, the relevant factors favor permitting the redacted Order.

7. Per the terms of the Confidentiality Agreement, the parties have agreed not to disclose the specific percentage of Designated Facilities' Net Patient Service Revenue that UHS has agreed to pay GWU. This information is confidential and proprietary business information, the disclosure of which would put UHS at a competitive disadvantage.

8. To UHS's knowledge, this specific percentage amount has never been made publicly available.

9. For the reasons stated above, UHS requests sealing to comply with the parties' confidentiality obligations, and there is good cause for this Court to grant UHS's unopposed motion to enter the Order with relevant portions redacted.

Dated: September 6, 2024

Respectfully submitted,

/s/ Gary A. Orseck

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**CERTIFICATE OF EFFORT TO OBTAIN CONSENT**

I Gary Orseck, Esq. certify that, pursuant to Washington D.C. Superior Court Rule 12-I(a), prior to filing this motion counsel for UHS made a good faith effort to ascertain whether GWU would consent to any of the relief requested by this motion by speaking with counsel for GWU by email on September 6, 2024. GWU consented to this motion.

/s/ Gary A. Orseck

Gary A. Orseck