

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

CIVIL ACTION NO. 09-86-KSF

SHARON MARIE EVANS,

PLAINTIFF

v.

OPINION & ORDER

SIR PIZZA OF KENTUCKY, INC., *et al*

DEFENDANTS

* * * * *

This matter is currently before the Court upon the motion of the plaintiff, Sharon Marie Evans, to reconsider the Protective Order of Confidentiality, submitted by the defendants in conjunction with a telephone conference before Magistrate Judge James B. Todd on February 2, 2010, and subsequently entered by Judge Todd on February 4, 2010 [DE #45, 51]. Specifically, Evans argues that the protective order is in contravention of her constitutional rights in that it protects as confidential documents which are subject to disclosure under the Kentucky Records Act and the federal Freedom of Information Act. [DE #54].

The Court has carefully reviewed the arguments raised by Evans in her motion to reconsider, Judge Todd's Order of February 2, 2010, and the Protective Order of Confidentiality of February 4, 2010. Based on this review, the Court finds that Evans has failed to set forth a reasonable basis, in law or fact, to justify any further modifications of the protective order. As noted by Judge Todd, any records obtained by either party outside the discovery process, through an open records request or otherwise, are not subject to the protective order. Accordingly, the Court, being fully and sufficiently advised, hereby **ORDERS** that Evan's motion for reconsideration [DE #54] is **DENIED**.

This March 2, 2010.



Signed By:

Karl S. Forester K S F

United States Senior Judge