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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Bobbi Lee Felix,

Plaintiff,

vs.

United States of America,

Defendant.

No. CV-11-1203-PHX-PGR

ORDER

Pending before the Court is the parties' Stipulated Protective Order Re: Nondisclosure of Confidential Information (Doc. 16). While the Court is certainly willing to issue a protective order in this action, the Court cannot accept the parties' proposed form of protective order as currently drafted.

First, pursuant to paragraphs 1 and 8 of the proposed protective order, only the parties' counsel will be permitted to exam confidential documents without the necessity of signing a copy of the protective order. These provisions need to be revise to exempt authorized Court personnel from that requirement.

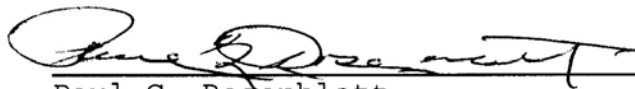
Second, proposed paragraph 7 provides that "[a]ll portions of the depositions, moving papers, or any other pre-trial written materials that refer to confidential information shall be sealed by the Court to protect such information."

1 This provision needs to be revised so that it complies with all of the sealing
2 procedures required by LRCiv 5.6, as well as any appropriate portions of section
3 II.J. of the Court's Case Management/Electronic Case Filing Administrative
4 Policies and Procedures Manual. The parties are advised that no document
5 submitted for filing will be sealed by the Court unless a properly supported motion
6 to seal that document is first filed and granted.¹

7 Third, proposed paragraphs 9 and 10, which refer to the resolution of
8 disputes concerning the applicability of the protective order, need to be revised to
9 incorporate the Court's requirement that no motion seeking a resolution of any
10 dispute concerning any production or designation of protected material or an
11 amendment of the protective order may be filed unless a statement of moving
12 counsel is attached thereto certifying that after personal consultation and sincere
13 efforts to do so, counsel have been unable to satisfactorily resolve the dispute.

14 IT IS THEREFORE ORDERED that the parties' Stipulated Protective Order
15 Re: Nondisclosure of Confidential Information (Doc. 16) is rejected without
16 prejudice to the filing of a revised stipulation and proposed form of protective
17 order that complies with this Order.

18 DATED this 4th day of October, 2011.

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20 
21 Paul G. Rosenblatt
22 United States District Judge

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25 The parties are also advised that the Court's normal practice when a
26 submitted document is permitted to be filed under seal is to require that a public
version of the same document also be filed that redacts only the specific
confidential information.