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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Paul E White, et al.,

10 Plaintiffs,

11 v.

12 Home Depot USA Incorporated,

13 Defendant.
14

No. CV-16-01185-PHX-JAT

ORDER

15 Pending before the Court is the parties' joint motion for a protective order. Global
16 protective orders are not appropriate. *See AGA Shareholders, LLC v. CSK Auto, Inc.*,
17 2007 WL 4225450, at *1 (D. Ariz. Nov. 28, 2007). Rule 26(c) requires a party seeking a
18 protective order to show good cause for issuance of such an order. Fed. R. Civ. P.
19 26(c)(1). "For good cause to exist under Rule 26(c), 'the party seeking protection bears
20 the **burden of showing specific prejudice or harm will result if no protective order is**
21 **granted.**'" *AGA Shareholders*, 2007 WL 4225450, at *1 (emphasis added) (quoting
22 *Phillips v. G.M. Corp.*, 307 F.3d 1206, 1210-11 (9th Cir. 2002)). The party seeking
23 protection "**must make a 'particularized showing of good cause with respect to [each]**
24 **individual document.**" *Id.* (emphasis added) (quoting *San Jose Mercury News, Inc. v.*
25 *U.S. Dist. Ct.*, 187 F.3d 1096, 1102 (9th Cir. 1999)).

26 Thus, "[t]he burden is on the party to requesting a protective order to demonstrate
27 that (1) the material in question is a trade secret or other confidential information within
28 the scope of Rule 26(c), and (2) disclosure would cause an identifiable, significant harm."

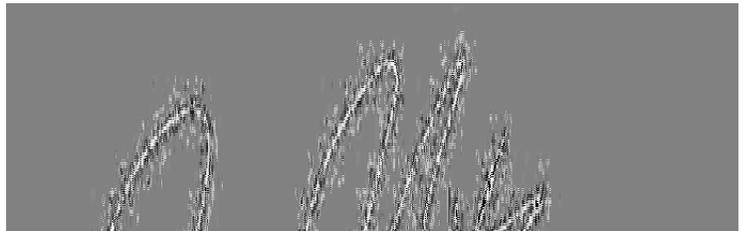
1 *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1131 (9th Cir. 2003) (quoting
2 *Deford v. Schmid Prods. Co.*, 120 F.R.D. 648, 653 (D. Md. 1987)).

3 Here, the proposed protective order states that the information will be designated
4 confidential, "...if counsel determines, in good faith, that such designation is necessary to
5 protect the interests of the client." Doc. 20-1 at 1. Such a standard is far too broad under
6 Federal Rule of Civil Procedure 26(c).

7 Accordingly,

8 **IT IS ORDERED** that the joint motion for protective order (Doc. 20) is denied,
9 without prejudice.

10 Dated this 19th day of September, 2016.



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