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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

B. ARONSON, INC., ET AL.,	)	NO. CV 11-00531 CAS (SSx)
	)	
Plaintiffs,	)	
	)	
v.	)	<b>MEMORANDUM AND ORDER RE: PARTIES'</b>
	)	
BRADSHAW INTERNATIONAL, INC.,	)	<b>STIPULATED PROTECTIVE ORDER</b>
ET AL.,	)	
	)	
Defendants.	)	
	)	

The Court has received and considered the parties' "[Proposed] Stipulated Protective Order" (the "Protective Order"). The Court is unable to adopt the Protective Order as stipulated to by the parties for the following reasons:

First, a protective order must be narrowly tailored and cannot be overbroad. Therefore, the documents, information, items or materials that are subject to the protective order shall be described in a meaningful and specific fashion (for example, "personnel records," "medical records," or "financial information," etc.). Here, the parties define confidential information as "information which has not been made public and which concerns or relates to the Parties' business

1 practices." (Protective Order at 2, ¶ 3). This definition could  
2 arguably include every item of information generated by either party,  
3 if they have not provided such information to the public. As such, the  
4 definition is overbroad. The parties may submit a revised stipulated  
5 protective order, but must correct this deficiency.

6  
7 Second, the Protective Order does not establish the requisite good  
8 cause. Pintos v. Pac. Creditors Ass'n, 605 F.3d 665, 678 (9th Cir., as  
9 amended 2010) ("The relevant standard [for the entry of a protective  
10 order] is whether good cause exists to protect the information from  
11 being disclosed to the public by balancing the needs for discovery  
12 against the need for confidentiality." (internal quotation marks and  
13 alteration omitted)); Foltz v. State Farm Mut. Auto Ins. Co., 331 F.3d  
14 1122, 1130 (9th Cir. 2003) (court's protective order analysis requires  
15 examination of good cause (citing Phillips v. Gen. Motors Corp., 307  
16 F.3d 1206, 1210-11, 1212 (9th Cir. 2002))).

17  
18 The Court may only enter a protective order upon a showing of good  
19 cause. Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1176  
20 (9th Cir. 2006) (stipulating to protective order insufficient to make  
21 particularized showing of good cause, as required by Rule 26(c));  
22 Phillips, 307 F.3d at 1210-11 (Rule 26(c) requires a showing of good  
23 cause for a protective order); Makar-Wellbon v. Sony Electronics, Inc.,  
24 187 F.R.D. 576, 577 (E.D. Wis. 1999) (even stipulated protective orders  
25 require good cause showing).

26  
27 In any revised stipulated protective order submitted to the Court,  
28 the parties must include a statement demonstrating good cause for entry

1 of a protective order pertaining to the documents or information  
2 described in the order. The documents to be protected shall be  
3 specifically described and identified. The paragraph containing the  
4 statement of good cause should be preceded by the phrase: "GOOD CAUSE  
5 STATEMENT." The parties shall articulate, for each document or category  
6 of documents they seek to protect, the specific prejudice or harm that  
7 will result from the disclosure of those particular documents if no  
8 protective order is entered. Foltz, 331 F.3d at 1130.

9  
10 Third, the Court reminds the parties that all future discovery  
11 documents filed with the Court shall include the following in the  
12 caption: "[Discovery Document: Referred to Magistrate Judge Suzanne H.  
13 Segal]."

14  
15 Finally, the Court notes that its website contains additional  
16 guidance regarding protective orders. This information is available in  
17 Judge Segal's section of the link marked "Judges Procedures &  
18 Schedules." (See <http://www.cacd.uscourts.gov/CACD/JudgeReq.nsf/2fb080863c88ab47882567c9007fa070/0141b1bcd8ee7f8488256bbb00542959?OpenDocument>).

21  
22 IT IS SO ORDERED.

23  
24 DATED: November 2, 2011

25 /s/  
26 \_\_\_\_\_  
27 SUZANNE H. SEGAL  
28 UNITED STATES MAGISTRATE JUDGE