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5 Attorneys for Defendant
 6 EXPERIAN INFORMATION SOLUTIONS,
 INC.

7
 8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA

11 HANNAH WEINSTEIN, an
 12 Individual;

13 Plaintiff,

14 v.

15 EQUIFAX INFORMATION
 16 SERVICES LLC, a business entity;
 17 EXPERIAN INFORMATION
 SOLUTIONS, INC., is a Corporation;
 18 FIDELITY CAPITAL HOLDINGS,
 INC., is a business entity, form
 unknown; and DOES 1-10, Inclusive,

19 Defendants.

Case No. 2:17-cv-08704 DSF (JEMx)

Hon. John E. McDermott

~~PROPOSED~~ STIPULATED
 PROTECTIVE ORDER

[DISCOVERY MATTER]

Complaint filed: December 1, 2017

21 IT IS HEREBY STIPULATED by and between Plaintiff Hannah Weinstein
 22 (“Plaintiff”), and Defendant Experian Information Solutions, Inc. (“Experian”),
 23 through their respective attorneys of record, as follows:

24 **GOOD CAUSE STATEMENT**

25 WHEREAS, Fed. R. Civ. P. 26(c)(1) requires a showing of good cause for
 26 the entry of a protective order by the Court to prevent public disclosure of material
 27 such as trade secrets or other confidential research, development, or commercial
 28 information;

1 WHEREAS, documents and information have been and may be sought,
2 produced or exhibited by and among the parties to this action relating to trade
3 secrets, confidential research, development, technology or other proprietary
4 information belonging to Experian (including, but not limited to, codes, computer
5 systems, software and processes used for credit reporting, and information derived
6 therefrom); and/or sealed court records, personal income, credit, and other
7 confidential information of Plaintiff;

8 WHEREAS, an order of this Court is necessary to protect the parties from
9 annoyance, embarrassment, oppression, or undue burden or expense related to the
10 disclosure of confidential, proprietary or private information of the parties for
11 purposes other than prosecuting and defending this litigation; and

12 WHEREAS, this Order does not confer blanket protection on all disclosures
13 or responses to discovery, and the protection it gives from public disclosure and use
14 extends only to the specific documents and material entitled to confidential
15 treatment under applicable legal principles.

16 **STIPULATED PROTECTIVE ORDER**

17 THEREFORE, an Order of this Court protecting such confidential
18 information shall be and hereby is made by this Court on the following terms:

19 1. This Order shall govern the use, handling and disclosure of all
20 documents, testimony or information produced or given in this action which are
21 designated to be subject to this Order in accordance with the terms hereof.

22 2. Any party or non-party producing or filing documents or other
23 materials in this action may designate such materials and the information contained
24 therein subject to this Order by typing or stamping on the front of the document, or
25 on the portion(s) of the document for which confidential treatment is designated,
26 "Confidential."

27 3. To the extent any motions, briefs, pleadings, deposition transcripts, or
28 other papers to be filed with the Court incorporate documents or information

1 subject to this Order, the party filing such papers shall designate such materials, or
2 portions thereof, as "Confidential," and shall file them with the clerk under seal;
3 provided, however, that a copy of such filing having the confidential information
4 deleted therefrom may be made part of the public record. Any party filing any
5 document under seal must comply with the requirements of Local Rule 79-5.

6 4. All documents, transcripts, or other materials subject to this Order, and
7 all information derived therefrom (including, but not limited to, all testimony given
8 in a deposition, declaration or otherwise, that refers, reflects or otherwise discusses
9 any information designated "Confidential" hereunder), shall not be used, directly or
10 indirectly, by any person, including the other Defendants, for any business,
11 commercial or competitive purposes or for any purpose whatsoever other than
12 solely for the preparation and trial of this action in accordance with the provisions
13 of this Order.

14 5. Except with the prior written consent of the individual or entity
15 designating a document or portions of a document as "Confidential," or pursuant to
16 prior Order after notice, any document, transcript or pleading given "Confidential"
17 treatment under this Order, and any information contained in, or derived from any
18 such materials (including but not limited to, all deposition testimony that refers to,
19 reflects or otherwise discusses any information designated "Confidential"
20 hereunder) may not be disclosed other than in accordance with this Order and may
21 not be disclosed to any person other than: (a) the Court and its officers; (b) parties
22 to this litigation; (c) counsel for the parties, whether retained outside counsel or in-
23 house counsel and employees of counsel assigned to assist such counsel in the
24 preparation of this litigation; (d) fact witnesses subject to a proffer to the Court or a
25 stipulation of the parties that such witnesses need to know such information;
26 (e) present or former employees of the Producing Party in connection with their
27 depositions in this action (provided that no former employees shall be shown
28 documents prepared after the date of his or her departure); and (f) experts

1 specifically retained as consultants or expert witnesses in connection with this
2 litigation.

3 6. Documents produced pursuant to this Order shall not be made
4 available to any person designated in Subparagraph 5(f) unless he or she shall have
5 first read this Order, agreed to be bound by its terms, and signed the attached
6 Declaration of Compliance.

7 7. All persons receiving any or all documents produced pursuant to this
8 Order shall be advised of their confidential nature. All persons to whom
9 confidential information and/or documents are disclosed are hereby enjoined from
10 disclosing same to any person except as provided herein, and are further enjoined
11 from using same except in the preparation for and trial of the above-captioned
12 action between the named parties thereto. No person receiving or reviewing such
13 confidential documents, information or transcript shall disseminate or disclose them
14 to any person other than those described above in Paragraph 5 and for the purposes
15 specified, and in no event shall such person make any other use of such document
16 or transcript.

17 8. Nothing in this Order shall prevent a party from using at trial any
18 information or materials designated "Confidential."

19 9. This Order has been agreed to by the parties to facilitate discovery and
20 the production of relevant evidence in this action. Neither the entry of this Order,
21 nor the designation of any information, document, or the like as "Confidential," nor
22 the failure to make such designation, shall constitute evidence with respect to any
23 issue in this action.

24 10. Within sixty (60) days after the final termination of this litigation, all
25 documents, transcripts, or other materials afforded confidential treatment pursuant
26 to this Order, including any extracts, summaries or compilations taken therefrom,
27 but excluding any materials which in the good faith judgment of counsel are work
28 product materials, shall be returned to the Producing Party.

1 11. In the event that any party to this litigation disagrees at any point in
2 these proceedings with any designation made under this Protective Order, the
3 parties shall first try to resolve such dispute in good faith on an informal basis in
4 accordance with Local Rule 37-1. If the dispute cannot be resolved, the party
5 objecting to the designation may seek appropriate relief from this Court. During
6 the pendency of any challenge to the designation of a document or information, the
7 designated document or information shall continue to be treated as "Confidential"
8 subject to the provisions of this Protective Order.

9 12. Nothing herein shall affect or restrict the rights of any party with
10 respect to its own documents or to the information obtained or developed
11 independently of documents, transcripts and materials afforded confidential
12 treatment pursuant to this Order.

13 13. The Court retains the right to allow disclosure of any subject covered
14 by this stipulation or to modify this stipulation at any time in the interest of justice.

15
16 Dated: July 24, 2018

LAW OFFICES OF ROBERT F.
BRENNAN A P.C.

17
18
19 By: /s/ Robert F. Brennan
Robert F. Brennan

20 Attorneys for Plaintiff
21 HANNAH WEINSTEIN

22
23 Dated: July 24, 2018

JONES DAY

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25 By: /s/ Jennifer Sun
Jennifer Sun

26 Attorneys for Defendant
27 EXPERIAN INFORMATION
28 SOLUTIONS, INC.

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Signature Certification

Pursuant to Local Rule 5-4.3.4(a)(2), I hereby certify that all other signatories listed above, on whose behalf this filing is submitted, concur with the contents of this filing and have authorized the filing.

/s/ Jennifer Sun
Jennifer Sun

FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: 7/24/2018 John E. McDermott
HON. JOHN E. MCDERMOTT
United States Magistrate Judge

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EXHIBIT A
DECLARATION OF COMPLIANCE

Hannah Weinstein v. Equifax Information Services LLC, et al.
United States District Court, Central District of California
Case No. Case No. 2:17-cv-08704 DSF (JEMx)

I, _____, declare as follows:

1. My address is _____.

2. My present employer is _____.

3. My present occupation or job description is _____.

4 I have received a copy of the Stipulated Protective Order entered in this action on _____, 2018.

5. I have carefully read and understand the provisions of this Stipulated Protective Order.

6. I will comply with all provisions of this Stipulated Protective Order.

7. I will hold in confidence, and will not disclose to anyone not qualified under the Stipulated Protective Order, any information, documents or other materials produced subject to this Stipulated Protective Order.

8. I will use such information, documents or other materials produced subject to this Stipulated Protective Order only for purposes of this present action.

9. Upon termination of this action, or upon request, I will return and deliver all information, documents or other materials produced subject to this Stipulated Protective Order, and all documents or things which I have prepared relating to the information, documents or other materials that are subject to the Stipulated Protective Order, to my counsel in this action, or to counsel for the party by whom I am employed or retained or from whom I received the documents.

10. I hereby submit to the jurisdiction of this Court for the purposes of enforcing the Stipulated Protective Order in this action.

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I declare under penalty of perjury under the laws of the United States that the following is true and correct.

Executed this ____ day of _____, 2018, at _____.

QUALIFIED PERSON

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CERTIFICATE OF SERVICE

1
2 I, Jennifer Sun, declare:

3 I am a citizen of the United States and employed in Orange County,
4 California. I am over the age of eighteen years and not a party to the within-entitled
5 action. My business address is 3161 Michelson Drive, Suite 800, Irvine, California
6 92612.4408. On July 24, 2018, I served a copy of the [**PROPOSED**]
7 **STIPULATED PROTECTIVE ORDER** by electronic transmission.

8 I am familiar with the United States District Court for the Central District of
9 California's practice for collecting and processing electronic filings. Under that
10 practice, documents are electronically filed with the court. The court's CM/ECF
11 system will generate a Notice of Electronic Filing (NEF) to the filing party, the
12 assigned judge, and any registered users in the case. The NEF will constitute
13 service of the document. Registration as a CM/ECF user constitutes consent to
14 electronic service through the court's transmission facilities. Under said practice,
15 the following CM/ECF users were served:

- 16 • **Robert F. Brennan**
17 rbrennan@brennanlaw.com, aarellano@brennanlaw.com,
18 nmendoza@brennanlaw.com, sjones@brennanlaw.com,
19 rbichler@brennanlaw.com
- 20 • **Matthew F. Kennedy**
21 matthewfkenn@gmail.com

22 Executed on July 24, 2018, at Irvine, California.

23 /s/ Jennifer Sun
24 Jennifer Sun