

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 18-1115 JAK (MRWx)	Date	December 3, 2018
Title	Haaland v. CVS Pharmacy		

Present: The Honorable	Michael R. Wilner
Veronica Piper	n/a
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
None present	None present

Proceedings: ORDER RE: PROTECTIVE ORDER

The parties submitted a proposed protective order regarding discovery in this civil action. (Docket # 80.) The Court defers consideration of the proposed order based on the following observations:

1. The parties failed to provide the Court with an adequate statement of good cause regarding the litigation. See Oliner v. Kontrabecki, 745 F. 3d 1024, 1026 (9th Cir. 2014). The parties must identify legitimate bases for the entry of such an order that are specific to this action; no boilerplate allowed.
2. The parties' proposed protective order establishes a restrictive, three-category review structure (confidential materials; highly confidential items to be reviewed by attorneys only (not clients); and highly confidential "source code").
3. The Court's preliminary examination of the pleadings reveals that this is a lawsuit involving a self-represented plaintiff pursuing tort and fraud claims related to a prescription dispensing incident. No allegations in the case involve computer software or patent claims (the typical basis for "source code" protection). Also, it is unlikely that a pro se litigant either asked for, or has any ability to comply with, an "attorney's eyes" only provision in this type of action.
4. Defendant will submit a short (NTE five pages) statement addressing these issues within five court days. Alternatively, the parties may submit a proposed protective order that more closely relates to the nature of the action and Ninth Circuit law. Judge Wilner offers such a protective order (based on a recommendation from the Los Angeles County Bar Association) at his section of the Court's website.