

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 16-2452-JGB (KKx)**

Date: February 6, 2017

Title: ***Netecs Corporation v. Damon McClure***

Present: The Honorable **KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE**

DEB TAYLOR

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: Order re: First Amended Stipulated Protective Order [Dkt. 22]

The parties' proposed First Amended Stipulation and Protective Order has been referred by the District Judge to the Magistrate Judge for consideration. The parties are advised that the Court declines to issue the proposed protective order to which they have stipulated for the following reasons:

1. The stipulation, including paragraphs 10(b), 11(b), and 20(a), needs to be revised to make clear that the terms of the Protective Order do not apply to the Court and court personnel, who are subject only to the Court's internal procedures regarding the handling of material filed or lodged, including material filed or lodged under seal.

2. Proposed paragraph 21 needs to be revised to make clear that, regardless of any stipulation between the parties, any party seeking to file a motion under seal must comply with Civil Local Rule 79-5 (setting forth the procedures that must be followed and standards that will be applied when a party seeks permission from the court to file material under seal).

3. Proposed paragraph 27 needs to be revised to remove the permission to modify the protective order without a court order. The Court suggests the following language from the Court's sample stipulated protective order: "Nothing in this Order abridges the right of any person to seek its modification by the Court in the future."

4. The Protective Order shall unequivocally state that nothing in the protective order shall be construed as authorizing a party to disobey a lawful subpoena or court order issued in another action.

The parties are further directed to the Court's sample stipulated protective order located on the Court's website for a sample of the format of an approved stipulated protective order. The parties are strongly encouraged to use the language contained in the approved stipulated protective order.

cc: United States District Judge Jesus G. Bernal