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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PETER OLNEY, et al.

Case No. 1:12-cv-01724-LJO-SKO

Plaintiffs,

v.

**ORDER DENYING WITHOUT
PREJUDICE JOINT MOTION FOR
PROTECTIVE ORDER**

JOB.COM,

(Docket No. 64)

Defendant/Third Party
Plaintiff,

v.

RESUMEDIRECTOR.COM, et al.

Third Party Defendants.

I. INTRODUCTION

On September 16, 2013, the parties filed joint motion for a protective order governing the production of confidential information. (Doc. 64.) The Court has reviewed the joint proposed protective order and has determined that, in its current form, the Court cannot grant the request for a protective order. For the reasons set forth below, the Court DENIES the parties' motion without prejudice.

1 **II. DISCUSSION**

2 **A. The Parties Fail to Comply with Local Rule 141.1(c)**

3 The joint proposed protective order does not comply with Rule 141.1 of the Local Rules of
4 the United States District Court, Eastern District of California. Pursuant to Rule 141.1(c), any
5 proposed protective order submitted by the parties must contain the following provisions:

- 6 (1) A description of the types of information eligible for protection under the
7 order, with the description provided in general terms sufficient to reveal the
8 nature of the information (e.g., customer list, formula for soda, diary of a
9 troubled child);
- 10 (2) A showing of particularized need for protection as to each category of
11 information proposed to be covered by the order; and
- 12 (3) A showing as to why the need for protection should be addressed by a court
13 order, as opposed to a private agreement between or among the parties.

14 Local Rule 141.1(c). The joint proposed protective order fail to contain this required information.

15 The parties comply generally with Local Rule 141.1(c)(1) and provide a description of
16 information eligible for protection that "include[s], but is not limited . . . sensitive personal or
17 financial information, or proprietary information, information constituting trade secrets, or such
18 similar protected information needing confidential designation." (Doc. 64, ¶ 2.)

19 However, the proposed protective order fails to comply with Local Rule 141.1(c)(2), which
20 requires "[a] showing of particularized need for protection as to each category of information
21 proposed to be covered by the order." No explanation is provided as to why a particularized need
22 for protection is required. Likewise, Local Rule 141.1(c)(3) requires that the parties show "why
23 the need for protection should be addressed by a court order, as opposed to a private agreement
24 between or among the parties." The parties fail to address this requirement.

25 **B. The Parties' Stipulated Protective Order is Denied Without Prejudice**

26 The parties may re-file a revised joint proposed protective order that complies with Local
27 Rule 141.1(c) and corrects the deficiencies set forth in this order.
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III. CONCLUSION AND ORDER

Accordingly, IT IS HEREBY ORDERED that the parties' joint motion for a protective order (Doc. 64) is DENIED without prejudice to renewing the request.

IT IS SO ORDERED.

Dated: September 19, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE