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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIELA PETRISOR,

Case No. 1:13-cv-00905-LJO-SKO

Plaintiff,

**ORDER DENYING WITHOUT
PREJUDICE STIPULATED
PROTECTIVE ORDER**

v.

WYNDHAM VACATION OWNERSHIP,
INC.,

(Docket No. 13)

Defendant.

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I. INTRODUCTION

On November 20, 2013, the parties filed a request seeking Court approval of their Stipulated Protective Order Regarding Confidentiality. (Doc. 13.) The Court has reviewed the proposed stipulated protective order and has determined that, in its current form, the Court cannot grant the request approving the proposed protective order. For the reasons set forth below, the Court DENIES without prejudice the parties' request to approve the stipulated protective order.

II. DISCUSSION

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

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

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

9 Local Rule 141.1(c). The stipulated proposed protective order fails to contain this required
10 information.

11 The parties fail to comply with Local Rule 141.1(c)(1) and do not provide a description of
12 the types of information eligible for protection under the protective order. Instead, the parties
13 indicate that the "Protective Order applies to all Discovery Responses in this litigation . . . that one
14 or more of the parties contend contains Confidential Information." (Doc. 13, ¶ 2.) This broad
15 description does not satisfy Local Rule 141.1(c)(1), which requires a description "in general terms
16 sufficient to reveal the nature of the information" sought to be protected. Local Rule 141.1(c)(1).

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

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

24 The parties may re-file a revised proposed stipulated protective order that complies with
25 Local 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' request for approval of the Stipulated Protective Order Regarding Confidentiality (Doc. 13) is DENIED without prejudice to renewing the request.

IT IS SO ORDERED.

Dated: November 26, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE