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| IN THE UNITED STATES DISTRICT COURT   |   |
| EASTERN DIS   | TRICT OF CALIFORNIA   |
| JUANA SILVA,  | )<br>) Case No.: 1:17-cv-00645-DAD-EPG  |
| Plaintiff.  | )<br>ORDER REJECTING STIPULATED   |
| V.  | ) <b>PROTECTIVE ORDER</b>   |
| OCWEN LOAN SERVICING, LLC,  | ) (ECF No. 44)<br>)   |
| Defendants.   | )<br>)  |
|   |   |
|   | )<br>)  |
| On April 3, 2018, the parties filed a Motion for Protective Order and Stipulated              |   |
| Protective Order. "The court may, for good cause, issue an order to protect a party or person |   |
| from annoyance, embarrassment, oppression   | on, or undue burden or expense." Fed. R. Civ. P. 26(c).   |
| "In the federal judicial system trial and pre   | etrial proceedings are ordinarily to be conducted in  |
| public." Olympic Ref. Co. v. Carter, 332 F  | 2.2d 260, 264 (9th Cir. 1964) ("The purpose of the  |
| federal discovery rules, as pointed out in H  | Hickman v. Taylor, 329 U.S. 495, 501, 67 S.Ct. 385, 91  |
| L.Ed. 451, is to force a full disclosure.") "   | 'As a general rule, the public is permitted 'access to  |
| litigation documents and information prod   | uced during discovery." In re Roman Catholic  |
| Archbishop of Portland in Oregon, 661 F.3   | 3d 417, 424 (9th Cir. 2011) (quoting Phillips v. Gen.   |
| Motors Corp., 307 F.3d 1206, 1210 (9th C  | Sir.2002)); San Jose Mercury News, Inc. v. U.S. Dist.   |
| Court, 187 F.3d 1096, 1103 (9th Cir.1999)   | ) ("It is well-established that the fruits of pretrial  |
| discovery are, in the absence of a court ord  | ler to the contrary, presumptively public.").   |
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|   | EASTERN DIS<br>JUANA SILVA,<br>Plaintiff,<br>v.<br>OCWEN LOAN SERVICING, LLC,<br>Defendants.<br>On April 3, 2018, the parties filed a<br>Protective Order. "The court may, for good<br>from annoyance, embarrassment, oppressia<br>"In the federal judicial system trial and pro-<br>public." <i>Olympic Ref. Co. v. Carter</i> , 332 F<br>federal discovery rules, as pointed out in <i>F</i><br>L.Ed. 451, is to force a full disclosure.") '<br>litigation documents and information prod<br><i>Archbishop of Portland in Oregon</i> , 661 F.<br><i>Motors Corp.</i> , 307 F.3d 1206, 1210 (9th C<br><i>Court</i> , 187 F.3d 1096, 1103 (9th Cir.1999) |

| 1  | Eastern District of California Local Rule 141.1 governs the entry of orders protecting  |  |
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| 2  | confidential information in this District and provides that "All information provided to the Court  |  |
| 3  | in a specific action is presumptively public Confidential information exchanged through   |  |
| 4  | discovery, contained in documents to be filed in an action, or presented at a hearing or trial  |  |
| 5  | otherwise may be protected by seeking a protective order as described herein." L.R. 141.1(a)(1).  |  |
| 6  | Part (c) contains the requirements for a proposed protective order:   |  |
| 7  | (c) Requirements of a Proposed Protective Order. All stipulations and motions   |  |
| 8  | seeking the entry of a protective order shall be accompanied by a proposed form of order. Every proposed protective order shall contain the following provisions: |  |
| 9  | (1) A description of the types of information eligible for protection under<br>the order, with the description provided in general terms sufficient to            |  |
| 10 | reveal the nature of the information (e.g., customer list, formula for soda, diary of a troubled child);  |  |
| 11 | (2) A showing of particularized need for protection as to each category of  |  |
| 12 | information proposed to be covered by the order; and<br>(3) A showing as to why the need for protection should be addressed by a                                  |  |
| 13 | court order, as opposed to a private agreement between or among the parties.  |  |
| 14 | L.R. 141.1(c).  |  |
| 15 | The Stipulated Protective Order (ECF No. 44) submitted by the parties for Court approval  |  |
| 16 | is rejected because it fails to comply with L.R. 141.1(c). However, the parties are granted leave   |  |
| 17 | to submit a compliant stipulated protective order for Court approval.   |  |
| 18 |   |  |
| 19 | IT IS SO ORDERED.   |  |
| 20 | Dated: April 4, 2018 /s/ Enci P. Group  |  |
| 21 | UNITED STATES MAGISTRATE JUDGE  |  |
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