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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID PHILLIPS-KERLEY,  
  
Plaintiff,  
  
v.  
  
CITY OF FRESNO,  
  
Defendant.

Case No. 1:18-cv-00438-AWI-BAM

**ORDER DENYING STIPULATED  
PROTECTIVE ORDER WITHOUT  
PREJUDICE**

(Doc. No. 116-1)

On August 10, 2021, the parties filed a proposed stipulated protective order. (Doc. No. 116-1.) The stipulated protective order fails to identify the standard for sealing documents. Local Rule 141.1(e), which states that “documents that are subject to a protective order may be filed under seal only if a sealing order is first obtained.” In the stipulated protective order, the parties propose “all material filed with the Court containing or disclosing Confidential Information shall be filed under seal.” (Doc. No. 116-1 at 11 ¶ 7.5.) The parties fail to include a provision acknowledging the requirements for sealing a document. The parties instead propose that all documents identified as confidential under the protective order shall be filed under seal. Such a clause would be contrary to Local Rule 141.1(e).

Accordingly, IT IS HEREBY ORDERED that the parties’ request for entry of the Stipulated Protective Order (Doc. No. 116-1) is DENIED without prejudice. The parties may file a modified protective order that addresses the requirements of Local Rule 141.1 by identifying the procedure for sealing documents pursuant to L.R. 141.1(e).

IT IS SO ORDERED.

Dated: August 12, 2021

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE