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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEBORAH BONENFANT, an individual,

Plaintiff,

No. 2:10-cv-00361 FCD KJN

v.

STANDARD INSURANCE COMPANY,  
a corporation; and DOES 1 through 30,  
inclusive,

Defendants.

ORDER

Presently before the undersigned is the parties’ “Stipulation Re: Confidentiality and Protective Order Governing Production Or Other Discovery of Portions of Standard Insurance Company’s Claims Manual,” which seeks an order limiting the use and dissemination of information that the parties seek to designate as, among other things, confidential. (Dkt. No. 14.) The undersigned will not approve the proposed stipulated protective order as drafted because it does not conform to the requirements of Eastern District Local Rule 141.1.

This court’s Local Rule 141.1(c) provides:

**(c) Requirements of a Proposed Protective Order.** All stipulations and motions 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:

1 (1) A description of the types of information eligible for  
2 protection under the order, with the description provided in general terms  
3 sufficient to reveal the nature of the information (e.g., customer list,  
4 formula for soda, diary of a troubled child);

5 (2) A showing of particularized need for protection as to  
6 each category of information proposed to be covered by the order; and


7 (3) A showing as to why the need for protection should  
8 be addressed by a court order, as opposed to a private agreement between  
9 or among the parties.

10 E. Dist. Local Rule 141.1(c). Although the parties' stipulated protective order makes the  
11 showing required by subsections (c)(1) and (c)(2) of Local Rule 141.1, it does not contain any  
12 provision addressing "why the need for protection should be addressed by a court order, as  
13 opposed to a private agreement between or among the parties." E. Dist. Local Rule 141.1(c)(3).  
14 Accordingly, the undersigned will not approve the stipulated protective order as proposed.  
15 However, the parties may either reach a private agreement or file a proposed stipulated protective  
16 order that meets all of the requirements of the Federal Rules of Civil Procedure and the court's  
17 Local Rules.

18 For the foregoing reasons, IT IS HEREBY ORDERED that the parties'  
19 "Stipulation Re: Confidentiality and Protective Order Governing Production Or Other Discovery  
20 of Portions of Standard Insurance Company's Claims Manual" (Dkt. No. 14) is not approved, but  
21 without prejudice to the refiling of a sufficient proposed stipulated protective order.

22 IT IS SO ORDERED.

23 DATED: January 6, 2011

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE