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

BEST BUY STORES, L.P., a
Virginia limited partnership,

Plaintiff,

No. 2:10-cv-00389 WBS KJN

v.

MANTECA LIFESTYLE CENTER,
LLC, a Delaware limited liability
company,

Defendant.

ORDER

MANTECA LIFESTYLE CENTER, LLC

Counter-Claimant,

v.

BEST BUY STORES, L.P.,

Counter-Defendant,

Presently before the court is the parties’ proposed “Stipulated Protective Order,”
which seeks an order limiting the use and dissemination of information the parties seek to
designate as “Protected Material,” “Confidential” or as “Highly Confidential.” (Dkt. No. 25.)
For the reasons that follow, the undersigned will not approve the proposed stipulated protective

1 order as drafted.

2 While the court acknowledges the parties' recognition that the protective order
3 does not automatically create an entitlement to file documents under seal, the proposed order
4 does not comply with the court's Local Rules. Local Rule 141.1 provides, in part, that "[e]very
5 proposed protective order shall" contain certain provisions, including "[a] showing as to why the
6 need for protection should be addressed by a court order, as opposed to a private agreement
7 between or among the parties." Local Rule 141.1(c).

8 More specifically, Local Rule 141.1(c)(1) mandates that the stipulated protective
9 order describe the types of information eligible for protection under the order, such as, for
10 example, a customer list or formula for soda. Further, the parties are required to show the
11 particularized need for protection as to each category of information proposed to be covered by
12 the order. Local Rule 141.1(c)(2). The parties' proposed stipulated protective order does not
13 contain these required showings. Accordingly, the undersigned will not approve the stipulation
14 as proposed.

15 For the foregoing reasons, it is HEREBY ORDERED that the parties' "Stipulated
16 Protective Order" is not approved.

17 **IT IS SO ORDERED.**

18 DATED: October 20, 2010

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22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE
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