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

MARGARET A. GREEN,

Plaintiff,

No. 2:10-cv-02658 GEB KJN

v.

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendant.

ORDER

Presently before the court is the parties’ “Stipulated Confidentiality Agreement and Protective Order” (“Stipulated Protective Order”), which seeks an order limiting the use and dissemination of certain, identified documents. (Dkt. No. 12.) The undersigned does 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) A description of the types of information eligible for protection under the order, with the description provided in general terms sufficient to reveal the nature of the information (e.g., customer list, formula for soda, diary of a troubled child);

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


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

6 E. Dist. Local Rule 141.1(c)(1)-(3). Although the Stipulated Protective Order makes the showing
7 required by subsections (c)(1) and (c)(2) of Local Rule 141.1, it does not contain any provision
8 addressing “why the need for protection should be addressed by a court order, as opposed to a
9 private agreement between or among the parties.” E. Dist. Local Rule 141.1(c)(3). Because the
10 parties have not made the showing required by Local Rule 141.1(c)(3), the undersigned does not
11 approve the Stipulated Protective Order as presently drafted. However, the parties may either
12 enter into a private agreement or file a proposed stipulated protective order that meets all of the
13 requirements of the Federal Rules of Civil Procedure and this court’s Local Rules.

14 For the foregoing reasons, IT IS HEREBY ORDERED that the parties’
15 “Stipulated Confidentiality Agreement and Protective Order” is not approved, but without
16 prejudice to the refiling of a sufficient proposed stipulated protective order if the parties are
17 unable to reach a private agreement.

18 IT IS SO ORDERED.

19 DATED: June 21, 2011

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21 KENDALL J. NEWMAN
22 UNITED STATES MAGISTRATE JUDGE
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