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

SHARIDAN STILES, et al.,
Plaintiffs,

v.

WALMART, INC., et al.,
Defendants.

No. 2:14-CV-2234-MCE-DMC

ORDER

AND RELATED COUNTER-ACTIONS

Plaintiffs, who are proceeding with retained counsel, bring this civil action alleging intellectual and antitrust claims. Pending before the court is plaintiff’s motion to resolve a dispute concerning an appropriate protective order. The matter was heard before the undersigned in Redding, California, on November 14, 2018, at 10:00 a.m. Jamie Miller, Esq., appeared telephonically for plaintiffs. Catherine Simonsen, Esq., appeared telephonically for defendant Walmart, Inc. Zachary Page, Esq., appeared telephonically for defendant American International Industries, Inc. After considering arguments from counsel, the matter was submitted.

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1 The parties have agreed generally to the terms of a protective order, but disagree
2 on whether the protective order should include a provision limiting disclosure of certain highly
3 confidential information to attorneys' eyes only (AEO provision). Specifically, the proposed
4 AEO provision would apply to disclosure of documents reflecting corporate trade secrets,
5 nonpublic research and development data, pricing formulae, inventory management programs,
6 confidential business information not generally known to the public, and customer-related
7 protected data. Having considered the parties' arguments, the court finds inclusion of an AEO
8 provision in this case is not warranted because defendants have not established prejudice absent
9 such a provision, whereas plaintiffs have established prejudice were such a provision in place
10 given Ms. Stiles' unique knowledge necessary to prosecution of her case. Moreover, it appears
11 Ms. Stiles has limited funds and will be unable to hire experts to evaluate the evidence on her
12 behalf.

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. Plaintiff's motion for an order striking an AEO provision (Doc. 165) is
15 granted;
- 16 2. Plaintiff shall submit to the court no later than close of business on
17 November 27, 2018, a stipulated proposed protective order absent an AEO provision; and
- 18 3. Defendants shall serve responses, including requested documents, to all
19 outstanding discovery requests on or before December 7, 2018. The subject discovery responses
20 by Defendants shall be without objection.

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23 Dated: November 19, 2018


24 DENNIS M. COTA
25 UNITED STATES MAGISTRATE JUDGE
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