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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RANDY BLANKENCHIP, et al.,  
Plaintiffs,  
v.  
CITIMORTGAGE, INC., et al.,  
Defendants.

No. 2:14-cv-2309 WBS AC

ORDER

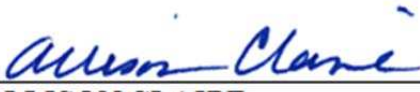
Pending before the court is defendant CitiMortgage, Inc.’s June 18, 2015, ex parte application for an order shortening time, requesting that its “Motion for Protective Order” be heard within 6 days, on June 24, 2015. ECF No. 22. According to CitiMortgage, plaintiffs have noticed a deposition for July 15, 2015, which also requires defendant to produce documents containing “proprietary” information. The application will be denied.

As defendant recognizes, the application for an order shortening time is governed by E.D. Cal. R. 144(e), which requires “a satisfactory explanation” of why the order is needed. However, defendant offers no explanation for why a “protective order” is needed here, since it only seeks to avoid producing documents within its own custody and control. “Protective orders” are needed when there is a risk that someone other than the moving party – here, the plaintiff, or a third party – will disclose documents the moving party does not want disclosed. See, e.g., Kaur v. City of Lodi, 2014 WL 3956707 (E.D. Cal. 2014) (defendant seeks protective order to prevent disclosure

1 by third party); American States Ins. Co. v. Insurance Co. for State of Pennsylvania, 2015 WL  
2 224769 at \*2 (E.D. Cal. 2015) (plaintiff seeks protective order to limit disclosure by defendant).  
3 Where, as here, defendant simply objects the production of documents within its own custody and  
4 control, it is free to object under the Federal Rules of Civil Procedure governing discovery  
5 requests. There is simply no need for an emergency motion in court.<sup>1</sup>

6 Accordingly, IT IS HEREBY ORDERED that defendant's application for an order  
7 shortening time (ECF No. 22), is DENIED.

8 DATED: June 19, 2015

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11 ALLISON CLAIRE  
12 UNITED STATES MAGISTRATE JUDGE  
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27 <sup>1</sup> In addition, the motion does not explain why defendant waited until last week to seek its  
28 "protective order," even though the notice of deposition was served on April 20, 2015, two  
months ago. See ECF No. 21-1, Exh. A, at 14. Defendant's apparent failure to act in a timely  
manner is not a satisfactory explanation of its need, now, for an emergency order.