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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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12 STEPHANIE B. PURVIS,  
13 Plaintiff,

14 v.

15 TRANS UNION, LLC, et al.,  
16 Defendants.  
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Case No. CV 11-6352-RS (JSC)

ORDER REGARDING PROTECTIVE  
ORDER DISPUTE (Dkt. Nos. 35, 41.)

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19 Now pending before the Court is a dispute between Plaintiff and Defendants regarding  
20 entry of a protective order. (Dkt. No. 41.) Defendants seek entry of the Northern District of  
21 California form protective order. While Plaintiff opposes entry of any protective order, as a  
22 compromise Plaintiff is willing to agree to a protective order which allows Plaintiff, following  
23 the termination of the litigation, to retain any documents designated by Defendants as  
24 confidential that pertain to Plaintiff. After carefully considering the parties' positions, and  
25 having had the benefit of oral argument on May 31, 2012, the Court finds that entry of the  
26 Court's form protective order is appropriate.

27 First, the Court finds that Defendants are likely to produce some confidential,  
28 proprietary, or private information for which special protection from public disclosure and  
from use for any purpose other than prosecuting this litigation may be warranted.

United States District Court  
Northern District of California

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Second, as no documents have as of yet been produced in this action, the Court cannot determine whether (1) any documents which Plaintiff may seek to retain are confidential, and (2) if so, whether Plaintiff should be allowed to retain the documents. In other words, Plaintiff's request is premature. Before Plaintiff becomes obligated to destroy or return any documents she can move to modify the protective order and then the Court can consider her request in context.

The Court will, however, modify the form protective order to require that upon termination of the case, the obligation of the receiving party to return or destroy material designated as confidential is triggered upon written notice from the designating party.

This Order terminates Docket Nos. 35, 41.

**IT IS SO ORDERED.**

Dated: May 31, 2012

  
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JACQUELINE SCOTT CORLEY  
UNITED STATES MAGISTRATE JUDGE