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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN DUGAN, et al.,  
Plaintiffs,  
v.  
LLOYDS TSB BANK, PLC,  
Defendant.

Case No.: [3:12-cv-02549-WHA](#) (NJV)

**ORDER RE CONFIDENTIAL  
PROTECTIVE ORDER**

Re: Dkt. No. 82

No later than January 7, 2013, Lloyds TSB Bank, PLC (“Lloyds”) shall file a 5-page letter brief addressing the following issues:

1. Which entities are Lloyds’ “competitors” for purposes of its proposed definition of “expert,” and why are these entities “competitors.”
2. Why the information Lloyds seeks to designate as “highly confidential” merits that level of protection.
3. Should the court agree with Lloyds that the above provisions are appropriate, why should the protective order not include a fee-shifting provision if Plaintiffs successfully challenge Lloyd’s designations of “highly confidential” materials and/or “competitors.”

The temporary protective order entered on December 6, 2012 (Dkt. No. 73) will continue to apply pending resolution of this new issue. The court will schedule a hearing if appropriate.

**IT IS SO ORDERED.**

Dated: December 20, 2012

  
Nandor J. Vadas  
United States Magistrate Judge