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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH ZEOLI,
Plaintiff,
v.
THE STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION, et al.,
Defendants.

Case No. [12-cv-02785-WHO](#)

**ORDER CONCERNING REDACTION
OF MEDICAL RECORDS**

Re: Dkt. No. 68

Plaintiff has redacted portions of three pages of medical records that he deems “non-relevant and highly private.” Defendants contend that the redacted information is relevant to plaintiff’s claims and urge that the documents be produced without redaction. The documents are subject to a Stipulated Protective Order and were “apparently inadvertently” produced without redaction, so the defendants are aware of the content of the redacted text. To resolve the dispute, the parties have produced the documents to me *in camera* and submitted a Joint Statement Concerning Disputed Discovery Issues, all of which I reviewed.

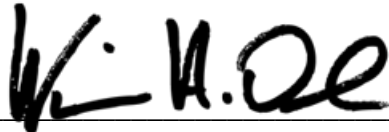
If the redacted portions were not relevant to the case, Plaintiff could reasonably expect that those portions would be kept confidential. However, it seems possible, perhaps probable, that the information is relevant, but I will not make that determination in a vacuum. Because the documents are covered by the Stipulated Protective Order, defendants should be provided with unredacted copies of the medical records at issue and should maintain their confidentiality in accordance with that Order. To ensure that the sensitive information is not disclosed to those with no need to know it prior to a further ruling by the Court, only redacted copies of the records should be used as exhibits in a deposition or in any publicly available document. Any party that files a motion in which the records are arguably relevant should seek a sealing order in accordance

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with the Local Rules. To assure adequate preparation of the case for trial, defendants' medical expert may review an unredacted copy. If and when the case comes to trial, the Court will address the relevancy of the redacted information at that time.

IT IS SO ORDERED.

Dated: April 7, 2014



WILLIAM H. ORRICK
United States District Judge