

1 UNITED STATES DISTRICT COURT
 2 Northern District of California

3
 4 CITY OF OAKLAND,

No. C 11-1446 YGR (MEJ)

5 Plaintiff,

ORDER RE: PROTECTIVE ORDER

6 v.

Re: Docket No. 62

7 SSA TERMINALS, LLC., et al.,

8 Defendants.

9
 10 On February 3, 2012, the parties filed a joint discovery dispute letter regarding the scope of a
 11 proposed stipulated protective order. Dkt. No. 62. In it, Defendants contend that certain counsel of
 12 record for Plaintiff, the Port of Oakland, should not be permitted to review material designated
 13 “Attorneys Eyes Only” because they are involved in lease negotiations and/or decision-making for
 14 the Port and that disclosure of certain materials to them would be extremely prejudicial. Plaintiff
 15 contends that all counsel of record in this action require access and that denial of access is tantamount
 16 to disqualifying those members of the Port’s trial team. Neither side prevented any legal authority in
 17 support of their arguments, but Defendants requested the opportunity for full briefing. Thus, the
 18 Court permitted each party to file a supplemental letter of no more than five pages. Dkt. No. 65.

19 Having received both parties’ supplemental letters, (Dkt. Nos. 68, 69), the Court ORDERS as
 20 follows: The parties shall meet and confer in person for the purpose of determining whether they are
 21 able to stipulate to an exclusion order providing that, for purposes of this action only, any mutually
 22 defined category of highly confidential information—not just specific documents, but the category,
 23 regardless of source—that SSA is unwilling to allow the Port’s in-house counsel of record in this
 24 action to access shall be excluded from discovery and trial. If the parties are unable to so stipulate,
 they shall inform the Court by joint letter.

25 **IT IS SO ORDERED.**

26
 27 Dated: February 21, 2012

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 Maria-Elena James
 Chief United States Magistrate Judge