

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATSY A. HAAKSTAD, et al.,
Plaintiffs,
v.
HOME CONSIGNMENT CENTER, LLC,
Defendant.

Case No. 15-cv-1245-PJH

**ORDER RE PROPOSED PROTECTIVE
ORDER**

The court is in receipt of the parties' stipulated protective order for the treatment of confidential information, which was filed on August 12, 2015. The court does not approve the order because the provision regarding "Filing Protected Material," ¶ 8 of the proposed order, is insufficient and does not accurately reflect current practice in this judicial district and the Ninth Circuit.

The court recommends that the parties adopt the following wording from ¶ 12.3 of the court's suggested stipulated protective order, which appears on the court's website, under "Forms and Guidelines" – "Model Protective Orders."

Filing Protected Material. Without written permission from the Designating Party or a court order secured after appropriate notice to all interested persons, a Party may not file in the public record in this action any Protected Material. A Party that seeks to file under seal any Protected Material must comply with Civil Local Rule 79-5. Protected Material may only be filed under seal pursuant to a court order authorizing the sealing of the specific Protected Material at issue. Pursuant to Civil Local Rule 79-5, a sealing order will issue only upon a request establishing that the Protected Material at issue is privileged, protectable as a trade secret, or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

otherwise entitled to protection under the law. If a Receiving Party's request to file Protected Material under seal pursuant to Civil Local Rule 79-5(d) is denied by the court, then the Receiving Party may file the information in the public record pursuant to Civil Local Rule 79-5(e) unless otherwise instructed by the court.

IT IS SO ORDERED.

Dated: August 13, 2015



PHYLLIS J. HAMILTON
United States District Judge