

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 09-cv-02952-REB-KMT

DARLENE J. MCCALMONT, and
D. THOMPSON MCCALMONT, individual residents of California,

Plaintiffs,

v.

REAL GOODS SOLAR, INC., a Colorado corporation,

Defendant.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

This matter is before me on the “Parties’ Motion for Entry of Stipulated Protective Order (Doc. No. 42 , filed June 30, 2010). The Motion is DENIED and the proposed Protective Order is REFUSED. The parties are granted leave to submit a motion for protective order and revised form of protective order consistent with the comments contained here.

Gillard v. Boulder Valley School District, 196 F.R.D. 382 (D. Colo. 2000), set out certain requirements for the issuance of a blanket protective order such as the one sought here. Among other things, any information designated by a party as confidential must first be reviewed by a lawyer who will certify that the designation as confidential is “based on a good faith belief that [the information] is confidential or otherwise entitled to protection” under Fed. R. Civ. P. 26(c)(7). *Gillard*, 196 F.R.D. at 386.

The proposed Protective Order does not comply with the requirements established in *Gillard*.¹

Dated: July 7, 2010.

¹ While the proposed Protective Order does contain a “good faith” requirement for discovery designated “Attorneys’ Eyes Only,” no such requirement is incorporated for documents labeled “Confidential.”