

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

NIELSEN AUDIO, INC.,

Plaintiff,

v.

Case No.: 8:15-cv-2435-T-27AAS

BUBBA CLEM a/k/a BUBBA THE
LOVE SPONGE and BUBBA RADIO
NETWORK, INC.,

Defendants.

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ORDER

This matter comes before the Court on Defendants' Emergency Motion for an Order Determining that Plaintiff's Discovery Production "N008" is Not Entitled to be Treated as "Confidential-Attorney's Eyes Only" (Doc. 123), and responses in opposition thereto (Docs. 125, 126). On July 18, 2017, the parties appeared before the undersigned for oral argument on Defendants' Emergency Motion.

For the reasons stated on the record at the hearing, it is **ORDERED** that:

(1) Defendants' Emergency Motion for an Order Determining that Plaintiff's Discovery Production "N008" is Not Entitled to be Treated as "Confidential-Attorney's Eyes Only" (Doc. 123) is **GRANTED** to the extent that discovery production N008 shall not be designated as "Confidential-Attorney's Eyes Only" pursuant to Section 4 of the Agreed Protective Order Regarding Confidential Information (Doc. 41-1, pp. 4-5). However, discovery production N008 shall be designated "Confidential" under Sections 2 and 3 of the Agreed Protective Order, and is entitled to all protections provided therein. (*Id.*, pp. 2-4).

(2) Each party shall bear their own attorneys' fees and costs incurred in relation to this

Motion (Doc. 123). *See* Fed. R. Civ. P. 37(a)(5).

DONE AND ORDERED in Tampa, Florida on this 18th day of July, 2017.

A handwritten signature in black ink that reads "Amanda Arnold Sansone". The signature is written in a cursive style with a horizontal line underneath it.

AMANDA ARNOLD SANSONE
United States Magistrate Judge