## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA FORT WAYNE DIVISION

KIMBERLY LOXTON,	)
Plaintiff,	)
v.	) CAUSE NO. 1:14-CV-183
WELLS FARGO BANK, NATIONAL ASSOCIATION, d/b/a Wells Fargo Home	) )
Mortgage,	)
Defendant.	)

## **OPINION AND ORDER**

Before the Court is a Joint Motion for Entry of Agreed Protective Order (Docket # 17), seeking approval of a proposed Agreed Protective Order submitted by the parties pursuant to Federal Rule of Civil Procedure 26(c). Although the proposed Order is limited to pretrial discovery only—and thus, an additional Court order is required for any document to be filed under seal—the proposed Order still has at least one material deficiency that precludes its approval.

Paragraph 21 of the proposed Order provides that the Court will retain jurisdiction for one year following the termination of the action to make any amendments, modifications, and additions to the Order and to resolve disputes concerning the disposition of materials. But the Court is unwilling to enter a protective order that suggests the Court retain jurisdiction of any kind after the resolution of the case. *See E.E.O.C. v. Clarice's Home Care Serv., Inc.*, No. 3:07-cv-601 GPM, 2008 WL 345588, at \*2 (S.D. Ill. Feb. 7, 2008) (encouraging the parties to make a contractual agreement among themselves for the return of sensitive documents without court oversight); *see also Large v. Mobile Tool Int'l, Inc.*, No. 1:02-CV-177, 2010 WL 3120254, at \*1

(N.D. Ind. Aug. 6, 2010).

Also, Paragraph 22 states that the Order "may be amended by the written agreement of

counsel for the Parties in the form of a stipulation that shall be approved by the Court and filed

herein." To clarify, the Court does not agree to approve any and all amendments stipulated to by

the parties; rather, the Order will be amended only if the Court approves and adopts the

stipulated amendment.

Therefore, the Court DENIES without prejudice the Joint Motion for Agreed Protective

Order. (Docket # 17.) The parties may submit a revised protective order that cures the identified

deficiency and is consistent with the requirements of Rule 26(c) and Seventh Circuit Court of

Appeals case law.

SO ORDERED.

Enter for this 26th day of January, 2015.

S/ Susan Collins

Susan Collins,

United States Magistrate Judge

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