

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MCDONALD APIARY, LLC,)
)
 Plaintiff,)
)
 v.)
)
 STARRH BEES, INC.; DALE ASHLEY;)
 ANNE ASHLEY; and JONATHAN)
 GONZALEZ,)
)
 Defendants.)

CASE NO. 8:14-cv-00351

ORDER

STARRH BEES, INC.,)
)
 Counterclaim-Plaintiff,)
)
 v.)
)
 MCDONALD APIARY, LLC; ED)
 MCDONALD; and SUSAN)
 MCDONALD,)
)
 Counterclaim-Defendants)

The parties agree that a protective order is warranted in this case, but they disagree on whether it should include an ‘attorney’s eyes only’ or ‘AEO’ provision. The undersigned magistrate judge previously conferred with counsel to assist in resolving this dispute. After that conference, Plaintiff McDonald Apiary modified its proposed protective order to more specifically describe the categories of documents to be afforded AEO protection. Defendant opposes Plaintiff’s proposed protective order, as modified.

A conference call was previously scheduled to discuss any remaining controversy over the terms of the parties' protective order. However, after comparing and reviewing the parties' proposed protective orders, the court is convinced this issue cannot be resolved by further discussion. The parties' dispute must be decided on written motion, upon review of their supporting or opposing briefs and evidence.

Accordingly,

IT IS ORDERED:

- 1) The conference call scheduled for November 17, 2015 is cancelled.
- 2) Plaintiff McDonald Apiary's motion for a protective order with AEO provisions shall be filed on or before December 1, 2015. Defendant's response shall be filed on or before December 11, 2015. No reply shall be filed absent leave of the court for good cause shown.

November 16, 2015

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge