

1  
2  
3  
4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**

6 CIMARRON ROAD LLC,

7 Plaintiff(s),

8 v.

9 GENSLE ARTCHITECTURE, DESIGN &  
10 PLANNING, P.C.,

11 Defendant(s).

Case No. 2:21-cv-01158-APG-NJK

**Order**

[Docket Nos. 31, 32]

12 Pending before the Court is Plaintiff's motion for protective order, brought on an  
13 emergency basis. Docket No. 31; *see also* Docket No. 32 (request to shorten time). The gist of  
14 the motion is that the parties cannot agree on the terms of a stipulated protective order. "Counsel  
15 should strive to be cooperative, practical, and sensible." *Cardoza v. Bloomin' Brands*, 141 F.  
16 Supp. 3d 1137, 1145 (D. Nev. 2015). Crafting a stipulated protective order is a routine endeavor  
17 that should almost always be uncontroversial.<sup>1</sup> The Court is not persuaded that the parties are truly  
18 unable—through sensible and cooperative dialogue—to come to an agreement on a stipulated  
19 protective order.

20 Accordingly, the motion for protective order (Docket No. 31) is **DENIED** without  
21 prejudice. Counsel must promptly confer on the terms of a stipulated protective order. The Court  
22 expects the parties to come to an agreement and file a stipulated protective order by September 10,  
23 2021. To the extent counsel cannot come to an agreement, a renewed motion must be filed by  
24 September 10, 2021. To be clear, however, the Court sees no reason why motion practice should  
25 be necessary. To the extent motion practice is pursued, **the losing attorney(s) should anticipate**

26  
27 <sup>1</sup> Indeed, it is not uncommon for judges within the Ninth Circuit to post standard stipulated  
28 protective orders to establish the general terms for an order in any particular case. *See, e.g.*,  
[https://www.cacd.uscourts.gov/sites/default/files/documents/PLA/AD/Stipulated%20Protective  
%20Order.pdf](https://www.cacd.uscourts.gov/sites/default/files/documents/PLA/AD/Stipulated%20Protective%20Order.pdf) (Abrams, J.).

1 that the Court will award fees to the prevailing side. See Fed. R. Civ. P. 26(c)(3); *see also* Fed.  
2 R. Civ. P. 37(a)(5) (authorizing an award of fees from attorneys advising conduct).

3 The request to shorten time (Docket No. 32) is **DENIED** as moot.

4 IT IS SO ORDERED.

5 Dated: September 9, 2021

6  
7   
8 \_\_\_\_\_  
9 Nancy J. Koppe  
10 United States Magistrate Judge  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28