

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK-----X
DAMON WHITFIELD,

Plaintiff,

- v -

COOPER ELECTRIC SUPPLY CO.,

Defendant.
-----XMEMORANDUM AND ORDER

CV-09-236 (DLI) (VVP)

The parties have submitted a Stipulation and Order of Confidentiality for execution by the court. The court declines to enter the proposed order because it gives unlimited discretion to counsel and the parties to designate any documents and other information to be subject to the order without making a showing of good cause as required by Rule 26(c) of the Federal Rules of Civil Procedure. This ruling is without prejudice to the submission of an order which describes with specificity the documents that are to be subject to the order. Unless it is readily apparent from the description of the documents and other information covered by the order (e.g, trade secrets, personnel files), the submission must be accompanied by a showing of good cause why the matters subject to the order should be maintained in confidence.¹

SO ORDERED:

Viktor V. PohorelskyVIKTOR V. POHORELSKY
United States Magistrate JudgeDated: Brooklyn, New York
December 15, 2009

¹Thus the only documents or information listed in the proposed Order which by their description alone qualify for protection are personnel files or other documents that contain personal financial information. Protection of the other documents or information described in the proposed Order will require some showing as to why disclosure would cause "annoyance, embarrassment, oppression, or undue burden or expense." Fed. R. Civ. P. 26(c)(1).