

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BRIGHT RESPONSE, LLC

vs.

GOOGLE, INC., ET AL.

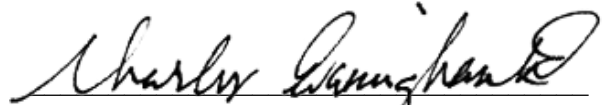
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CASE NO. 2:07-CV-371-CE

ORDER

Pending before the court is the defendants' motion to amend the protective order (Dkt. No. 288). The defendants argue that one of the plaintiff's attorneys, David Pridham, should be excluded from access to confidential documents because he is a competitive decisionmaker. In other cases, Judges Davis and Love have adopted similar protective orders excluding Mr. Pridham. *E.g.*, *Hyundai Motor Am. v. Clear With Computers, LLC*, 6:08-cv-302 (E.D. Tex. May 11, 2009) (No. 71); *ST Sales Tech Holdings, LLC v. Daimler Chrysler Co.*, 2008 WL 5634214 (E.D. Tex. Mar. 14, 2008). Under the facts of this case, the court is persuaded by these holdings. Therefore, the court GRANTS in part the defendants' motion to amend the protective order. Bright Response, LLC may, however, petition the court on a case-by-case basis to share limited information with Mr. Pridham that would otherwise be prohibited by this order. The court will then consider allowing Mr. Pridham to view such information on a showing of adequate need and after determining that such access would not tend to undermine the orders issued in *Hyundai* and *ST Sales*. The parties shall jointly submit an amended protective order within seven days that complies with the rulings in this order.

SIGNED this 2nd day of June, 2010.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE