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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 DIANNE L. KELLEY,

7 Plaintiff,

8 v.

9 MICROSOFT CORPORATION,

10 Defendant.

No. C07-475MJP

ORDER DENYING MOTION FOR
PROTECTIVE ORDER

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12 This matter comes before the Court on the parties' agreed motion for a protective order.¹
13 (Dkt. No. 35.) The Court will not sign the proposed protective order. The proposed order creates a
14 new procedure for filing documents "conditionally under seal" with the Court. (Proposed Protective
15 Order ¶ 13(b)). The local rules do not provide for this type of procedure, whereby a party wishing to
16 submit documents that another party has marked "confidential" submits the documents "conditionally
17 under seal" and shifts the burden to move for an order sealing the documents to the other party. The
18 Court directs the parties to revise their protective order to reflect the sealing procedure articulated in
19 Local Civil Rule 5(g). To submit documents under seal, the party submitting the documents must file
20 a motion to seal those documents. If another party also wishes to have the documents sealed, that
21 party should make the showing required under CR 5(g) in its response.

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26 ¹ The parties did not file an actual motion, but instead filed only a proposed order. The Court treats the proposed order as if it were attached to a joint motion. In the future, the parties should file this kind of document as an attachment to a stipulation or joint motion.

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The clerk is directed to send copies of this Order to all counsel of record.

Dated: September 13th, 2007.



Marsha J. Pechman
United States District Judge