

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

Conservation Law Foundation, Inc. v. Equilon Enterprises LLC (d/b/a Shell Oil Products US), et al.

Conservation Law Foundation · No. C.A. No. 17-396-JJM · Decided May 8, 2026

SUMMARY

The United States District Court for the District of Rhode Island grants Conservation Law Foundation’s motion for reconsideration of a sua sponte restriction limiting the use of certain de-designated raw discovery materials to the pending litigation and a related case. The court concludes that, although it has authority to restrict non-litigation use of raw discovery and such a restriction would not necessarily violate the First Amendment, the restriction is impractical, burdensome, and unnecessary, and therefore deletes it from the prior order.

CASE DETAILS

COURT	United States District Court for the District of Rhode Island
WRITING FOR THE COURT	Patricia A. Sullivan
JURISDICTION	United States District Court for the District of Rhode Island
DECIDED	May 8, 2026
DOCKET	C.A. No. 17-396-JJM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for reconsideration of a prior order imposing a use restriction on certain raw discovery materials after the defendants agreed to remove their confidentiality designations. The motion was framed as an objection and referred to the magistrate judge by the district court.
STANDARD OF REVIEW	Reconsideration of the Court's prior discovery-related order; the Court applied a practical-burden and necessity analysis.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value.
PARTIES	Conservation Law Foundation, Inc. v. Equilon Enterprises LLC (d/b/a Shell Oil Products US), et al.

TOPICS

motion for reconsideration

discovery dispute

first amendment

civil procedure

environmental law

PRACTICE AREAS

civil procedure

discovery

constitutional law

environmental law

QUESTIONS PRESENTED

1. Whether the Court should reconsider and delete its sua sponte restriction limiting the plaintiff's use of certain raw discovery materials to litigation.
2. Whether the use restriction was impractical, burdensome, and unnecessary in the circumstances presented.
3. Whether the use restriction violated the plaintiff's First Amendment rights.

HOLDINGS

1. The Court granted reconsideration and deleted the sentence imposing the use restriction because the restriction was impractical, burdensome, and unnecessary in the circumstances of the case.
2. The Court recognized that a court has authority to restrict the non-litigation use of raw civil discovery, including discovery that is not confidential, and may impose such a restriction sua sponte.

KEY QUOTATIONS

“Liberal discovery is provided for the sole purpose of assisting in the preparation and trial, or the settlement, of litigated disputes.” (467 U.S. at 34)

“even if no longer designated as confidential, such documents may not be used by CLF for any purpose other than for use in this case and in the related case pending in the District of Connecticut.” (ECF No. 309 at 4)

FACTUAL BACKGROUND

The Shell Defendants had designated a tranche of raw discovery materials as non-public and commercially sensitive under a protective order, later agreeing to remove the confidentiality designations to facilitate litigation use. The Court's prior order restricted the plaintiff's use of those materials to the present case and a related District of Connecticut case. The plaintiff contended that the restriction would require maintaining a separate document category and determining whether each de-designated document was sensitive business information or a public document mistakenly designated as confidential.

PROCEDURAL HISTORY

The Court's January 27, 2026 Order, clarified on March 11, 2026, restricted the plaintiff's use of certain de-designated raw discovery materials to this case and a related case. The plaintiff moved for reconsideration, arguing that the restriction was impractical, burdensome, unnecessary, and violated the First Amendment. The defendants opposed the motion, asserting that the restriction properly limited the use of raw discovery for advocacy and fundraising. The Court granted reconsideration based on the practical burdens and deleted the challenged sentence from the prior Order.

DISPOSITION

other

CASES CITED

- *Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 32-34 (1984)
- *United States ex rel. Wollman v. Massachusetts Gen. Hosp., Inc.*, Civil Action No. 15-11890-ADB, 2021 WL 11749764, at *1, *5 (D. Mass. Feb. 16, 2021)
- *Mouchas v. Under Pressure Coffee Inc.*, No. 24 CV 2221-AMD-CLP & 25 MC 2367 (E.D.N.Y. Oct. 28, 2025)

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