

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Angelic Potts, et al. v. 4Life Research LLC, et al.

Potts · No. 24-1205-EFM-JBW · Decided April 23, 2026

SUMMARY

The United States District Court for the District of Kansas addresses the parties’ disputed provisions in a proposed protective order in the litigation involving Angelic Potts and 4Life Research LLC. The court rules on the scope of confidential information, treatment of third-party child-abuse victim identities, subpoena notifications, and clawback procedures, and orders the parties to resubmit a revised protective order.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Jennifer B. Wieland
JURISDICTION	United States District Court for the District of Kansas
DECIDED	April 23, 2026
DOCKET	24-1205-EFM-JBW
DISPOSITION	other
PROCEDURAL POSTURE	The parties filed a joint motion to enter a protective order under Federal Rule of Civil Procedure 26(c), but disagreed over language in five sections of the proposed order.
STANDARD OF REVIEW	The court evaluated the proposed protective-order provisions for whether they were appropriately specific, narrowly tailored, and workable in light of the purposes of a protective order.
PRECEDENTIAL VALUE	unpublished district court memorandum and order; nonprecedential
PARTIES	Angelic Potts, et al. v. 4Life Research LLC, et al.

TOPICS

- discovery dispute
- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation
- discovery

QUESTIONS PRESENTED

1. What categories of business records and third-party information should qualify as confidential information under the protective order?
2. Whether the proposed definitions of confidential information were sufficiently specific and narrowly tailored.
3. How quickly a party subpoenaed for confidential information must notify the designating party.
4. Whether the clawback provision should permit a receiving party to sequester inadvertently disclosed privileged documents rather than return them within seven days.

HOLDINGS

1. The protective order should protect 4Life's trade secrets and confidential information about affiliates and customers, but the proposed broader category of corporate and financial records was vague and overbroad.
2. The protective order may protect documents containing the names of third parties alleged to have been subject to child sexual abuse, but may not broadly protect allegations identifying alleged perpetrators or participants.
3. Trade secrets are only one category of potentially protected information, so the definition of confidential information should not be limited to trade secrets as defined by Kansas law; however, broad language concerning all nonpublic documents about 4Life's operations and documents reflecting internal-investigation methodology and allegations must be removed.
4. A party receiving a subpoena requesting confidential information must notify the designating party within three business days.
5. The clawback provision should require the receiving party to return inadvertently disclosed privileged information or documents within seven days and should not permit sequestration as an alternative.

KEY QUOTATIONS

“The Court adopts 4Life’s proposed language, which is also the language from the Court’s form protective order, and imposes a three-business day deadline for a subpoenaed party to notify the designating party that they have received a subpoena requesting confidential information.” (Section IV)

“The point of clawback provisions is to “reduce the time and costs attendant to document-by-document review ... with the express goal of eliminating disputes regarding inadvertent disclosure of privileged documents which would disrupt the discovery process and cause the attorneys in this case to expend significant resources and time arguing about what steps were taken to prevent disclosure and to rectify the error.”” (Section V)

“IT IS THEREFORE ORDERED that the Parties’ Joint Motion to Enter Protective Order (Dkt. 112) is GRANTED IN PART and DENIED IN PART.” (Disposition)

FACTUAL BACKGROUND

The parties generally agreed that plaintiffs' bank and financial account statements, tax records, and medical and mental-health records should receive protection, but disputed the scope of protections for 4Life's business records and information concerning third-party sexual-abuse allegations. They also disagreed about the deadline for notifying a designating party of a subpoena seeking confidential information and whether a receiving party could sequester inadvertently disclosed privileged documents instead of returning them. The court resolved each dispute by adopting, modifying, or rejecting portions of the proposed protective order.

PROCEDURAL HISTORY

The dispute came before the District of Kansas on the parties' Joint Motion to Enter Protective Order. The court resolved the parties' disagreements concerning categories and definitions of confidential information, treatment of sexual-abuse allegations, notice of subpoenas seeking confidential information, and the clawback provision for inadvertently disclosed privileged material. The motion was granted in part and denied in part, and the parties were ordered to resubmit a revised protective order.

DISPOSITION

other

REMAND INSTRUCTIONS

The parties must resubmit their proposed Protective Order incorporating the court's rulings and email a Word copy to the magistrate judge's chambers within five days of the order.

CASES CITED

- Steede v. Levy, No. 25-CV-2136-DDC-TJJ, 2025 WL 1927722, at *2 (D. Kan. July 14, 2025)
- Rajala v. McGuire Woods, LLP, No. CIV.A. 08-2638-CM, 2013 WL 50200, at *5 (D. Kan. Jan. 3, 2013)