

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Stephen Rozzo v. Sun Pharmaceutical Industries, Inc.

Rozzo v. Sun Pharmaceutical Industries, Inc. · No. 2:23-cv-07624-MEMF-AJR · Decided February 21, 2025

SUMMARY

This document is a stipulated protective order entered in Stephen Rozzo v. Sun Pharmaceutical Industries, Inc., Case No. 2:23-cv-07624, in the U.S. District Court for the Central District of California. It governs the designation, use, disclosure, challenge, filing under seal, and final disposition of confidential discovery materials, and was stipulated to on February 20, 2025 and ordered on February 21, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	A. Joel Richlin
DECIDED	February 21, 2025
DOCKET	2:23-cv-07624-MEMF-AJR
DISPOSITION	other
PROCEDURAL POSTURE	The parties stipulated to a proposed protective order governing confidential discovery material and petitioned the court to enter it. The magistrate judge ordered the stipulated protective order for good cause shown.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- civil procedure
- commercial litigation
- sanctions

PRACTICE AREAS

- civil procedure
- commercial litigation
- discovery

QUESTIONS PRESENTED

1. Whether good cause supported entry of the parties' stipulated protective order under Federal Rule of Civil Procedure 26(c).

2. What procedures and limitations should govern designation, disclosure, challenge, sealing, use, and final disposition of confidential discovery material.

HOLDINGS

1. Good cause supported entry of the parties' stipulated protective order governing qualifying confidential discovery material.
2. The stipulated protective order does not itself authorize filing confidential information under seal; a party must comply with Local Civil Rule 79-5 and obtain a court order authorizing sealing of specific material.
3. Material related to a dispositive motion or trial may be sealed only upon a showing of compelling reasons supported by specific facts and legal justification, and the requested relief must be narrowly tailored.
4. Once the case proceeds to trial, material designated confidential or maintained under the protective order that is used or introduced as a trial exhibit becomes public and is presumptively available unless the trial judge makes specific findings supporting continued restriction based on compelling reasons.

KEY QUOTATIONS

“There is a strong presumption that the public has a right of access to judicial proceedings and records in civil cases.” (at 2)

“Once a case proceeds to trial, information that was designated as CONFIDENTIAL or maintained pursuant to this protective order used or introduced as an exhibit at trial becomes public and will be presumptively available to all members of the public, including the press, unless compelling reasons supported by specific factual findings to proceed otherwise are made to the trial judge in advance of the trial.” (at 6)

FACTUAL BACKGROUND

The parties anticipated that discovery would involve confidential, proprietary, private, commercial, technical, research, and development information, including information implicating third-party privacy rights. The proposed order was intended to restrict use and disclosure of qualifying discovery material, establish procedures for designating and challenging confidentiality, and address the disposition of protected material at the end of the litigation. The court found good cause to enter the stipulated protective order.

PROCEDURAL HISTORY

Plaintiff filed the complaint on August 9, 2023. Defendant removed the action on September 13, 2023, and Plaintiff filed a first amended complaint on October 11, 2023. On February 20, 2025, the parties submitted a stipulated protective order, which the court ordered on February 21, 2025.

DISPOSITION

other

CASES CITED

- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1176 (9th Cir. 2006)
- Phillips v. General Motors Corp., 307 F.3d 1206, 1210-11 (9th Cir. 2002)
- Makar-Welbon v. Sony Electronics, Inc., 187 F.R.D. 576, 577 (E.D. Wis. 1999)
- Pintos v. Pacific Creditors Association, 605 F.3d 665, 677-79 (9th Cir. 2010)
- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1180-81 (9th Cir. 2006)

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