

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Roberts v. County of Sacramento

Roberts · No. 2:22-cv-01974 KJM AC · Decided March 16, 2023

SUMMARY

This document is a protective order issued by the United States District Court for the Eastern District of California in Roberts v. County of Sacramento. It approves and incorporates the parties' stipulated protective order and establishes procedures governing confidentiality designations, sealing requests, discovery disputes, modifications, and post-termination enforcement.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 CLAUDELL ROBERTS, an individual; No. 2:22-cv-01974 KJM AC S.R., a
minor, by and through his Guardian 12 Ad Litem CLAUDELL ROBERTS, 13 Plaintiffs,
PROTECTIVE ORDER 14 v. 15 SCOTT JONES, in his individual capacity as the Sheriff of
Sacramento County 16 Sheriff's Department; COUNTY OF SACRAMENTO, a municipal
corporation; 17 and DOES 1-50, inclusive., 18 Defendants.

19 20 IT IS HEREBY ORDERED that the parties' Stipulated Protective Order (ECF No. 26), is 21
APPROVED and INCORPORATED herein. 22 IT IS FURTHER ORDERED THAT: 23 1.
Requests to seal documents shall be made by motion before the same judge who will 24 decide
the matter related to that request to seal. 25 2.

The designation of documents (including transcripts of testimony) as confidential 26 pursuant to
this order does not automatically entitle the parties to file such a document with the 27 court under
seal. Parties are advised that any request to seal documents in this district is governed 28 by E.D.
Cal. R. ("Local Rule") 141.

In brief, Local Rule 141 provides that documents may only 1 be sealed by a written order of the
court after a specific request to seal has been made. Local 2 Rule 141(a). However, a mere request
to seal is not enough under the local rules.

In particular, 3 Local Rule 141(b) requires that "[t]he 'Request to Seal Documents' shall set forth
the statutory or 4 other authority for sealing, the requested duration, the identity, by name or
category, of persons 5 to be permitted access to the document, and all relevant information." Local
Rule 141(b) 6 (emphasis added). 7 3. A request to seal material must normally meet the high
threshold of showing that 8 "compelling reasons" support secrecy; however, where the material is,

at most, “tangentially 9 related” to the merits of a case, the request to seal may be granted on a showing of “good cause.” 10 Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092, 1096-1102 (9th Cir.), cert. denied, 11 137 S. Ct.

38 (2016); Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178-80 (9th 12 Cir. 2006).
13 4. Nothing in this order shall limit the testimony of parties or non-parties, or the use of 14 certain documents, at any court hearing or trial – such determinations will only be made by the 15 court at the hearing or trial, or upon an appropriate motion. 16 5.

With respect to motions regarding any disputes concerning this protective order which 17 the parties cannot informally resolve, including any disputes regarding inadvertently produced 18 materials under Fed. R. Evid. 502, the parties shall follow the procedures outlined in Local 19 Rule 251. Absent a showing of good cause, the court will not hear discovery disputes on an ex 20 parte basis or on shortened time.

21 6. The parties may not modify the terms of this Protective Order without the court’s 22 approval. If the parties agree to a potential modification, they shall submit a stipulation 23 and proposed order for the court’s consideration. 24 7. Pursuant to Local Rule 141.1(f), the court will not retain jurisdiction over enforcement 25 of the terms of this Protective Order after the action is terminated.

26 /// 27 /// 28 /// 1 8. Any provision in the parties’ stipulation (ECF No. 26) that is in conflict with anything 2 || 1n this order is hereby DISAPPROVED. 3 IT IS SO ORDERED. 4 | DATED: March 15, 2023 ~ 5 Htttenr— Lhor—e_ ALLISON CLAIRE 6 UNITED STATES MAGISTRATE JUDGE 7 8 9 10 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28