

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.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
DECIDED	March 16, 2023
DOCKET	2:22-cv-01974 KJM AC
DISPOSITION	other
PROCEDURAL POSTURE	The court considered the parties' stipulated protective order and entered an order approving and incorporating it, subject to additional requirements and limitations.
PRECEDENTIAL VALUE	Nonprecedential district-court protective order

TOPICS

discovery dispute civil procedure evidence

PRACTICE AREAS

civil procedure civil rights discovery evidence

QUESTIONS PRESENTED

- Whether the parties' stipulated protective order should be approved and incorporated into the court's order.
- What procedures and standards govern sealing requests, disputes concerning the protective order, modifications, and enforcement of the order.

HOLDINGS

1. The parties' stipulated protective order, ECF No. 26, was approved and incorporated into the court's order, except that any conflicting provision was disapproved.
2. A confidentiality designation under the protective order does not automatically entitle a party to file the designated material under seal; a written request to seal must be made under E.D. Cal. Local Rule 141, ordinarily by motion before the judge who will decide the related matter.
3. The parties must follow E.D. Cal. Local Rule 251 procedures for unresolved disputes concerning the protective order, including disputes involving inadvertently produced materials under Federal Rule of Evidence 502; absent good cause, the court will not hear such discovery disputes *ex parte* or on shortened time.
4. The parties may not modify the protective order without court approval, and the court will not retain jurisdiction to enforce the order after the action terminates.

KEY QUOTATIONS

“The designation of documents (including transcripts of testimony) as confidential pursuant to this order does not automatically entitle the parties to file such a document with the court under seal.” (at 1)

“Absent a showing of good cause, the court will not hear discovery disputes on an ex parte basis or on shortened time.” (at 2)

FACTUAL BACKGROUND

The parties to the civil rights action agreed to a stipulated protective order concerning confidential documents and discovery materials. The court approved the stipulation but clarified that confidentiality designations do not automatically authorize filing under seal and established procedures for sealing requests, discovery disputes, modifications, and enforcement.

PROCEDURAL HISTORY

In this civil rights action, the parties submitted a stipulated protective order designated as ECF No. 26. The court approved and incorporated the stipulation, disapproved any conflicting provisions, and imposed procedures governing sealing requests, discovery disputes, modifications, and enforcement.

DISPOSITION

other

CASES CITED

- *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096-1102 (9th Cir. 2016)
- *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178-80 (9th Cir. 2006)

