

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Emma Cuadros Ortiz v. Circle K Stores Incorporated, et al.

Ortiz · No. CV-25-02014-PHX-JAT · Decided February 9, 2026

SUMMARY

The United States District Court for the District of Arizona denied without prejudice the parties’ stipulation for entry of a protective order. The court held that the proposed order was an impermissibly broad global protective order and that the parties had not shown the particularized good cause required under Federal Rule of Civil Procedure 26(c).

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	James A. Teilborg
JURISDICTION	United States District Court for the District of Arizona
DECIDED	February 9, 2026
DOCKET	CV-25-02014-PHX-JAT
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to entry of a protective order during discovery. The court reviewed the proposed order and denied the stipulation without prejudice.
STANDARD OF REVIEW	A party seeking a protective order under Federal Rule of Civil Procedure 26(c) bears the burden of demonstrating good cause through a particularized showing of specific prejudice or harm, including with respect to individual documents or identifiable categories of information.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- civil procedure

PRACTICE AREAS

- civil procedure
- discovery

QUESTIONS PRESENTED

1. Whether the parties established good cause under Federal Rule of Civil Procedure 26(c) for entry of the proposed protective order.
2. Whether the proposed protective order was impermissibly broad because it operated as a global protective order without identifying specific documents, categories of information, or cognizable harms.

HOLDINGS

1. The parties failed to demonstrate good cause under Federal Rule of Civil Procedure 26(c) because they made no particularized showing that disclosure of specified information would cause identifiable, significant harm.
2. The proposed protective order was impermissibly broad because it purported to cover undefined materials and categories without a showing that the information fell within Rule 26(c)'s limited protections.

KEY QUOTATIONS

“For good cause to exist under Rule 26(c), ‘the party seeking protection bears the burden of showing specific prejudice or harm will result if no protective order is granted.’” (at 1)

“Thus, “[t]he burden is on the party requesting a protective order to demonstrate that (1) the material in question is a trade secret or other confidential information within the scope of Rule 26(c), and (2) disclosure would cause an identifiable, significant harm.”” (at 2)

FACTUAL BACKGROUND

The parties proposed a protective order defining confidential material broadly to include nonpublic information such as personnel records, medical or psychiatric information, private customer data, proprietary business information, trade secrets, and other information protected by statute or privacy interests. The stipulation did not explain why a protective order was needed. The court found the proposal overly broad because it used an open-ended definition and included categories, such as private customer data and third-party personnel records, that were not shown to be at issue in the case.

PROCEDURAL HISTORY

Plaintiff filed this civil action in the United States District Court for the District of Arizona. During the case, the parties submitted a stipulation requesting entry of a protective order. The court denied the request without prejudice because the proposed order was an impermissibly broad global protective order and the parties had not shown good cause.

DISPOSITION

other

REMAND INSTRUCTIONS

The stipulation for entry of a protective order was denied without prejudice, permitting the parties to submit a narrower proposal supported by the required showing of good cause.

CASES CITED

- AGA Shareholders, LLC v. CSK Auto, Inc., 2007 WL 4225450, at *1 (D. Ariz. Nov. 28, 2007)
- Phillips v. G.M. Corp., 307 F.3d 1206, 1210-11 (9th Cir. 2002)
- San Jose Mercury News, Inc. v. U.S. Dist. Ct., 187 F.3d 1096, 1102 (9th Cir. 1999)
- Foltz v. State Farm Mut. Auto. Ins. Co., 331 F.3d 1122, 1131 (9th Cir. 2003)
- Rocky Mountain Bank v. Google, Inc., 428 F. App'x 690, 691 (9th Cir. 2011)
- Kamakana v. City & County of Honolulu, 447 F.3d 1172, 1183 (9th Cir. 2006)

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