

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Duane Henderson v. Experian Information Solutions, Inc., Equifax
Information Services, LLC, TransUnion, LLC, and Early Warning
Services, LLC

Henderson v. Experian · No. 2:24-cv-10686-MCS-AJR · Decided July 11, 2025

SUMMARY

This document is a proposed stipulated protective order in Duane Henderson v. Experian Information Solutions, Inc. et al., pending in the U.S. District Court for the Central District of California. It governs the designation, use, disclosure, challenge, filing, and final disposition of confidential discovery materials. The order was stipulated through counsel on July 11, 2025, and includes an acknowledgment and agreement to be bound.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	A. Joel Richlin
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 11, 2025
DOCKET	2:24-cv-10686-MCS-AJR
DISPOSITION	other
PROCEDURAL POSTURE	The parties stipulated to entry of a protective order governing confidential discovery materials, and the court entered the order for good cause shown.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- civil procedure
- credit reporting
- consumer protection
- sanctions

PRACTICE AREAS

- civil procedure
- discovery
- consumer protection
- credit reporting
- commercial litigation

QUESTIONS PRESENTED

1. Whether good cause supported entry of a stipulated protective order under Federal Rule of Civil Procedure 26(c).
2. What procedures should govern designation, challenge, disclosure, use, filing, and final disposition of confidential discovery material.
3. Whether the protective order should preserve the parties' rights to seek sealing orders, assert discovery objections, and obtain sanctions or contempt remedies for violations.

HOLDINGS

1. Good cause having been shown, the court entered the parties' stipulated protective order to protect qualifying confidential discovery material from public disclosure and use for purposes unrelated to the litigation.
2. Material designated as confidential under the order may be used only to prosecute, defend, or attempt to settle the action and may be disclosed only to specified persons subject to the order's conditions.
3. A party or nonparty may challenge a confidentiality designation through the procedures in Local Rule 37, but the designating party bears the burden of persuasion and the material remains protected pending the court's ruling unless the designation is withdrawn or waived.
4. The protective order does not itself authorize filing confidential material under seal; a party must comply with Central District of California Local Rule 79-5 and obtain a court order authorizing sealing of the specific material.
5. The protective order's terms do not extend beyond commencement of trial, and court-filed information introduced at trial is presumptively public absent compelling reasons supported by specific factual findings.
6. After final disposition of the action, a receiving party must, upon written request and within 60 days, return or destroy protected material and provide written certification, subject to counsel's limited right to retain archival litigation files that remain subject to the order.

KEY QUOTATIONS

“Protected Material may only be filed under seal pursuant to a court order authorizing the sealing of the specific Protected Material at issue; good cause must be shown in the request to file under seal.” (Section 12.3)

“Any violation of this Order may be punished by any and all appropriate measures including, without limitation, contempt proceedings and/or monetary sanctions.” (Section 14)

FACTUAL BACKGROUND

The litigation is expected to involve confidential business practices, commercial and financial information, consumer financial information, trade secrets, and other nonpublic or legally protected material. The parties sought a protective order to limit disclosure and use of such material, establish procedures for designating and challenging confidentiality, regulate access, and address the return or destruction of protected material after final disposition. The court found good cause to enter the stipulated order.

PROCEDURAL HISTORY

Plaintiff brought an action against Experian Information Solutions, Inc., Equifax Information Services, LLC, TransUnion, LLC, and Early Warning Services, LLC. The parties submitted a proposed stipulated protective order addressing confidential, proprietary, commercial, financial, consumer, and potentially privileged discovery material. The United States District Court for the Central District of California entered the order for good cause shown.

DISPOSITION

other

CASES CITED

- Kamakana v. City & County of Honolulu, 447 F.3d 1172, 1180-81 (9th Cir. 2006)

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