

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Justin Brewer, on behalf of himself and all others similarly situated v.
CVS Pharmacy, Inc., Criteo Corp., and Medallia, Inc.

Brewer v. CVS Pharmacy, Inc., No. 2:25-cv-04689-MWC-E (C.D. Cal. Dec. 15, 2025) · No. 2:25-cv-04689-MWC-E · Decided December 15, 2025

SUMMARY

This document is a Stipulated Protective Order in Brewer v. CVS Pharmacy, Inc., et al., pending in the United States District Court for the Central District of California. It governs the designation, use, disclosure, challenge, filing, and disposition of confidential and attorneys’-eyes-only discovery materials, including procedures for expert access and inadvertent disclosure. The order also addresses confidentiality obligations after final disposition and the treatment of protected materials at trial.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Charles F. Eick
DECIDED	December 15, 2025
DOCKET	2:25-cv-04689-MWC-E
DISPOSITION	other
PROCEDURAL POSTURE	The parties stipulated to a protective order governing confidential and highly sensitive discovery material, and the court entered the order for good cause shown.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

discovery dispute civil procedure commercial litigation commercial

PRACTICE AREAS

civil procedure commercial litigation discovery

QUESTIONS PRESENTED

- Whether good cause existed to enter a stipulated protective order governing confidential and attorneys-eyes-only discovery material.

2. What procedures and restrictions should govern the designation, use, disclosure, challenge, filing under seal, retention, and disposition of protected discovery material.

HOLDINGS

1. The court entered the parties' stipulated protective order for good cause shown, governing discovery material that qualifies for confidential treatment under applicable legal principles.
2. Protected material may be used only to prosecute, defend, or attempt to settle the action and may be disclosed only to persons and under the conditions specified in the protective order.
3. Designating parties must limit confidentiality designations to material that qualifies for protection, and a party challenging a designation must follow the meet-and-confer and motion procedures required by the applicable local rules; the designating party bears the burden of persuasion.
4. The protective order does not itself authorize filing material under seal; a party must comply with Local Rule 79-5 and obtain a court order authorizing the sealing of the specific material.
5. When a producing party gives notice that inadvertently produced material is privileged or otherwise protected, the receiving parties' obligations are governed by Federal Rule of Civil Procedure 26(b)(5) (B), and production does not waive the privilege or protection under the terms of the order.

KEY QUOTATIONS

“this Stipulated Protective Order does not entitle them to file confidential information under seal” (¶ 1.3)

“A Receiving Party may use Protected Material that is disclosed or produced by another Party or by a Non-Party in connection with this Action only for prosecuting, defending, or attempting to settle this Action.” (¶ 7.1)

“Any violation of this Stipulated Protective Order may be punished by any and all appropriate measures including, without limitation, contempt proceedings and/or monetary sanctions.” (¶ 15)

FACTUAL BACKGROUND

The parties anticipated discovery involving trade secrets, customer information, and commercial, financial, technical, research, development, and proprietary information. The parties sought procedures limiting disclosure and use of qualifying material while preserving access to the court and compliance with applicable sealing standards. The order also addressed inadvertent production of privileged material, unauthorized disclosure, expert access to attorneys-eyes-only material, and the return or destruction of protected material after final disposition.

PROCEDURAL HISTORY

The action was pending in the Central District of California. The parties jointly submitted a stipulated protective order addressing the designation, use, disclosure, challenge, filing, retention, and disposition of protected discovery material. The court entered the stipulated order on December 15, 2025.

DISPOSITION

other

CASES CITED

- *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1176, 1180-81 (9th Cir. 2006)
- *Phillips ex rel. Estates of Byrd 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 Ass'n*, 605 F.3d 665, 677-79 (9th Cir. 2010)

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