

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Rachael Roberts and Michael Fuson v. City of Newport Beach et al.

No. 8:24-cv-00149-FWS-JDEx, United States District Court for the Central District of California (June 12, 2025)

SUMMARY

This document is a court-entered Stipulated Protective Order governing the designation, use, disclosure, challenge, filing, and disposition of confidential discovery materials in Rachael Roberts and Michael Fuson v. City of Newport Beach et al. It addresses confidential police personnel files, internal affairs materials, recordings, photographs, administrative materials, and other protected information. The order was issued by the United States District Court for the Central District of California on June 12, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	John D. Early
DECIDED	June 12, 2025
DOCKET	8:24-cv-00149-FWS-JDEx
DISPOSITION	other
PROCEDURAL POSTURE	The parties stipulated to and petitioned for entry of a protective order governing confidential discovery material in the pending civil-rights action.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Rachael Roberts, Michael Fuson v. City of Newport Beach, Officer B. Sanchez #1602, Officer T. Eisenhower #1526, Officer D. Maisano #1324, Officer P. Fitle #1601, Officer S. Torres #1524, Does 1 through 10, inclusive

TOPICS

- discovery dispute
- civil procedure
- police misconduct
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights
- municipal law
- police misconduct

QUESTIONS PRESENTED

1. Whether good cause supported entry of the parties' stipulated protective order under Federal Rule of Civil Procedure 26(c).
2. What restrictions and procedures should govern designation, disclosure, use, challenge, sealing, and final disposition of confidential discovery material.

HOLDINGS

1. Good cause supported entry of the stipulated protective order to protect qualifying confidential, proprietary, private, privileged, or otherwise protected discovery material while permitting reasonable use of that material in prosecuting, defending, or attempting to settle the action.
2. A designation of discovery material as confidential does not itself authorize filing the material under seal; a party must comply with Local Civil Rule 79-5 and make the required showing of good cause or compelling reasons, supported by competent evidence and narrowly tailored relief.
3. Protected material may be used only for prosecuting, defending, or attempting to settle the action and may be disclosed only to the categories of persons and under the conditions specified in the protective order.
4. 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).

KEY QUOTATIONS

“This Stipulated Protective Order does not entitle the parties to file confidential information under seal.” (at 2)

“There is a strong presumption that the public has a right of access to judicial proceedings and records in civil cases.” (at 2)

“Mass, indiscriminate, or routinized designations are prohibited.” (at 4.1)

FACTUAL BACKGROUND

The action concerns the City of Newport Beach and sworn members of the Newport Beach Police Department. Plaintiffs sought discovery including police personnel files, Internal Affairs materials, recordings, photographs, administrative materials, and information potentially implicating private third-party, employment, financial, and official-information interests. The parties represented that some discovery warranted protection from public disclosure and use outside the litigation.

PROCEDURAL HISTORY

The action was pending in the Central District of California. Based on the parties' stipulation and a finding of good cause, the magistrate judge entered a stipulated protective order governing designation, disclosure, use, challenge, filing, and disposition of protected discovery material.

DISPOSITION

other

CASES CITED

- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1176, 1180-81 (9th Cir. 2006)
- Phillips 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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