

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Fouzia Yousofzai v. Costco Wholesale Corporation, et al.

Yousofzai · No. 2:25-cv-1323 TLN AC · Decided August 29, 2025

SUMMARY

This document is a Protective Order issued by the United States District Court for the Eastern District of California in Yousofzai v. Costco Wholesale Corporation. It approves and incorporates the parties' stipulated protective order and sets procedures governing sealing requests, confidential materials, discovery disputes, modifications, and enforcement. The order was issued on August 29, 2025, by United States Magistrate Judge Allison Claire.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
DECIDED	August 29, 2025
DOCKET	2:25-cv-1323 TLN AC
DISPOSITION	approved
PROCEDURAL POSTURE	The court considered the parties' stipulated protective order and entered an order approving and incorporating it, with additional governing provisions.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Fouzia Yousofzai v. Costco Wholesale Corporation, et al.

TOPICS

- discovery dispute evidence civil procedure

PRACTICE AREAS

- civil procedure discovery sealing of court records

QUESTIONS PRESENTED

1. Whether the parties' stipulated protective order should be approved and incorporated into the court's order.

2. What procedures and standards govern requests to seal documents and disputes concerning the protective order.

HOLDINGS

1. The parties' stipulated protective order, ECF No. 8, was approved and incorporated into the court's order, except to the extent any provision conflicted with the court's order.
2. A request to seal must be made by motion before the judge who will decide the matter related to the request, and a request must comply with E.D. Cal. Local Rule 141; designation of material as confidential under the protective order does not itself authorize filing under seal.
3. Unresolved disputes concerning the protective order must follow E.D. Cal. Local Rule 251 procedures, and the parties may not modify the protective order without court approval.

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.” (1)

“A request to seal material must normally meet the high threshold of showing that “compelling reasons” support secrecy; however, where the material is, at most, “tangentially related” to the merits of a case, the request to seal may be granted on a showing of “good cause.”” (1)

FACTUAL BACKGROUND

The parties agreed to a stipulated protective order governing confidential materials and related discovery matters. The court approved the stipulation and added requirements concerning sealing requests, discovery disputes, modifications, and post-termination enforcement.

PROCEDURAL HISTORY

The parties submitted a stipulated protective order identified as ECF No. 8. The court approved and incorporated the stipulation, disapproved any conflicting provisions, and specified procedures for sealing requests, protective-order disputes, modifications, and enforcement.

DISPOSITION

approved

CASES CITED

- Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092, 1096-1102 (9th Cir.)
- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178-1180 (9th Cir. 2006)

OPINION

Yousofzai v. Costco Wholesale Corp.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 FOUZIA YOUSOFZAI, No. 2:25-cv-1323 TLN AC

12 Plaintiff,

13 v. PROTECTIVE ORDER

14 COSTCO WHOLESALE

CORPORATION, et al., 15 Defendants. 16 17 IT IS HEREBY ORDERED that the parties' Stipulated Protective Order (ECF No. 8), is 18 APPROVED and INCORPORATED herein. 19 IT IS FURTHER ORDERED THAT: 20 1. Requests to seal documents shall be made by motion before the same judge who will 21 decide the matter related to that request to seal. 22 2. The designation of documents (including transcripts of testimony) as confidential 23 pursuant to this order does not automatically entitle the parties to file such a document with the 24 court under seal. Parties are advised that any request to seal documents in this district is governed 25 by E.D. Cal. R. ("Local Rule") 141. In brief, Local Rule 141 provides that documents may only 26 be sealed by a written order of the court after a specific request to seal has been made. Local 27 Rule 141(a). However, a mere request to seal is not enough under the local rules. In particular, 28 Local Rule 141(b) requires that "[t]he 'Request to Seal Documents' shall set forth the statutory or 1 || other authority for sealing, the requested duration, the identity, by name or category, of persons 2 || to be permitted access to the document, and all relevant information." Local Rule 141(b) 3 || (emphasis added). 4 3. A request to seal material must normally meet the high threshold of showing that 5 || "compelling reasons" support secrecy; however, where the material is, at most, "tangentially 6 || related" to the merits of a case, the request to seal may be granted on a showing of "good cause." 7 | Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092, 1096-1102 (9th Cir.), cert. denied, 8 | 1378S. Ct. 38 (2016); Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178-80 (9th 9 || Cir. 2006). 10 4. Nothing in this order shall limit the testimony of parties or non-parties, or the use of 11 | certain documents, at any court hearing or trial — such determinations will only be made by the 12 || court at the hearing or trial, or upon an appropriate motion. 13 5. With respect to motions regarding any disputes concerning this protective order which 14 | the parties cannot informally resolve, including any disputes regarding inadvertently produced 15 || materials under Fed. R. Evid. 502, the parties shall follow the procedures outlined in Local 16 || Rule 251. Absent a showing of good cause, the court will not hear discovery disputes on an ex 17 || parte basis or on shortened time. 18 6. The parties may not modify the terms of this Protective Order without the court's 19 || approval. If the parties agree to a potential modification, they shall submit a stipulation 20 || and proposed order for the court's consideration. 21 7. Pursuant to Local Rule 141.1(f), the court will not retain jurisdiction over enforcement 22 | of the terms of this Protective Order after the action is terminated. 23 8. Any provision in the parties' stipulation

(ECF No. 8) that is in conflict with anything 24 || in this order is hereby DISAPPROVED. 25 IT IS
SO ORDERED. 26 || DATED: August 29, 2025 ~ Cttd0 Lhar—e_ 27 ALLISONCLAIRE.
28 UNITED STATES MAGISTRATE JUDGE