

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

J.S. v. County of Fresno

No. 1:23-cv-01070-KES-EPG (E.D. Cal. May 29, 2025) · No. 1:23-cv-01070-KES-EPG · Decided May 29, 2025

SUMMARY

The United States District Court for the Eastern District of California partially grants the parties’ joint stipulation for a protective order. The Court limits the definition of confidential information to specified categories of records and clarifies that the protective order cannot override the Court’s rules or established procedures.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 29, 2025
DOCKET	1:23-cv-01070-KES-EPG
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to a proposed protective order and requested the Court's approval.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	J.S., et al. v. Fresno County Sheriff's Office Employees, et al.

TOPICS

discovery dispute civil procedure

PRACTICE AREAS

civil procedure discovery

QUESTIONS PRESENTED

- Whether the Court should approve the parties' proposed protective order as submitted.
- Whether the proposed protective order could define confidential information without describing the types of information eligible for protection and could override the Court's established practices or rules.

HOLDINGS

- 1. The Court approved the parties' stipulated protective order in part, subject to revisions limiting the definition of confidential information to specified personnel, medical, and sensitive identifying records.
- 2. The protective order may not bind the Court or its personnel, and the Court's established practices and rules govern to the extent they conflict with the protective order.

KEY QUOTATIONS

- “Such an expansive definition improperly allows the parties to deem information confidential so long as they themselves believe that it qualifies for protection and without ever disclosing the types of information at issue under Local Rule 141.1(c)(1)” (1)
- “a protective order may not bind the Court or its personnel.” (2)

FACTUAL BACKGROUND

The parties proposed a protective order defining confidential information broadly as information or tangible things qualifying for protection under Federal Rule of Civil Procedure 26(c). The proposed order also identified personnel, medical, and sensitive identifying records as potential confidential materials.

PROCEDURAL HISTORY

The parties submitted a joint stipulation for approval of a protective order. The Court found the proposed order acceptable in most respects but revised its confidentiality definition and clarified that the order could not override the Court's rules or established procedures, then granted the stipulation in part.

DISPOSITION

other

CASES CITED

- Rangel v. Forest River, Inc., No. EDCV 17-0613 JFW (SS), 2017 WL 2825922, at *2 (C.D. Cal. June 29, 2017)

OPINION

J.S. v. County of Fresno
PER CURIAM.
1 2 3 4 5 6
7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
9 10 J.S., et al., Case No. 1:23-cv-01070-KES-EPG 11 Plaintiffs,
12 v. ORDER GRANTING, IN PART, JOINT
STIPULATION FOR A PROTECTIVE

13 FRESNO COUNTY SHERIFF'S OFFICE ORDER

EMPLOYEES, et al., 14 (ECF No. 65) Defendants. 15 16 17 This matter is before the Court on the parties' joint stipulation for the Court to approve 18 their proposed protective order. (ECF No. 65). Upon review, the Court will grant the stipulation 19 in part. 20 The Court finds the proposed protective order acceptable in most respects. However, the 21 Court notes that the parties define the term "'confidential' information or items" to mean 22 "information (regardless of how it is generated, stored or maintained) or tangible things that 23 qualify for protection under Federal Rule of Civil Procedure 26(c)." (Id. at 3). 24 Such an expansive definition improperly allows the parties to deem information 25 confidential so long as they themselves believe that it qualifies for protection and without ever 26 disclosing the types of information at issue under Local Rule 141.1(c)(1), which requires "[a] 27 description of the types of information eligible for protection under the order, with the description 28 provided in general terms sufficient to reveal the nature of the information (e.g., customer list, 1 | formula for soda, diary of a troubled child)." However, the parties elsewhere indicate that the 2 | confidential information or items may include "personnel file records of any peace officer or 3 | medical professional; "medical records, including mental-health and psychiatric records; or 4 | "social security numbers, addresses, phone numbers, and similar such sensitive, identifying 5 | information (unless redacted by order or by agreement of all parties)." (ECF No. 65 at 3). The 6 Court will limit the parties' definition of confidential information or items to such records. 7 Additionally, the Court notes that "a protective order may not bind the Court or its 8 personnel." *Rangel v. Forest River, Inc.*, No. EDCV 17-0613 JFW (SS), 2017 WL 2825922, at 9 *2 (C.D. Cal. June 29, 2017). Thus, to the extent that the protective order conflicts with the Court's established practices or Rules, e.g., such as by allowing the parties to bypass the Court's informal discovery-dispute-resolution process, the Court's established practices or Rules will govern. (See ECF No. 13 at 4 (noting procedures regarding informal discovery conferences and 2 discovery motions); the Court's Standard Procedures (same), available on the Court's website). 13 Accordingly, IT IS ORDERED that the parties' stipulation for a protective order (ECF

14 No. 65) is granted, in part, as revised above.

15 16 | IT IS SO ORDERED. | Dated: _May 29, 2025 [pp ny —

18 UNITED STATES MAGISTRATE JUDGE

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