

United States District Court
Western District of Washington

Honorable Richard A. Jones

STIPULATED PROTECTIVE ORDERS

Parties frequently submit proposed stipulated protective orders for entry by the Court for the purpose of memorializing the parties' agreement regarding protecting what they view to be confidential information. The court encourages such agreements, which often facilitate the exchange of documents and other information in discovery. Such agreements, however, are between the parties alone. The practice of transforming such agreements into an order of the court is unnecessary, and, in the view of some judges within this District, improper.

The Court will enforce agreements between the parties as it relates to protecting what they view to be confidential information as long as the agreements do not conflict with Local Rules W.D. Wash. CR 5(g).

The Court emphasizes that the law provides means for addressing disputes over the confidentiality of documents and for filing documents under seal. Fed. R. Civ. P. 26(c) (setting standard for motion for protective order), Local Rules W.D. Wash. CR 5(g) (describing procedure for sealing documents). Stipulated agreements between the parties do not create a new basis for them to request the court's intervention in their disputes over discovery or the confidentiality of documents.

Provided their agreement is consistent with the principles stated above, the court will enforce the parties' agreement regarding confidentiality of documents as it would enforce any agreement between the parties. It will not, however, transform that agreement into an order of the court.