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WESTERN DISTRICT OF WASHINGTON AT TACOMA

UNITED STATES DISTRICT COURT

STATE OF WASHINGTON,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

CASE NO. C17-5806 RJB

ORDER DENYING DEFENDANT'S MOTION FOR LIMITED PROTECTIVE ORDER REGARDING DEPOSTION OF RYAN KIMBLE

This matter comes before the court on the above-referenced motion (Dkt. 190). The court has reviewed all documents filed in support of and in opposition to the motion and is familiar with the contents of the file.

The defendant asks the court to enter an order preventing the plaintiff from seeking certain financial testimony at deposition from Ryan Kimble pending the resolution of GEO's pending Writ of Mandamus action in the Ninth Circuit Court of Appeals.

Because of the Ninth Circuit Court of Appeals' scheduling, the request for an order delaying discovery pending resolution of the Mandamus action is tantamount to requesting a delay in the scheduling set by this court. It would effectively amount to a stay of the whole case.

ORDER DENYING DEFENDANT'S MOTION FOR LIMITED PROTECTIVE ORDER REGARDING DEPOSTION OF RYAN KIMBLE - 1

This court will comply with any orders of the Ninth Circuit Court of Appeals, but a Petition filed there should not control scheduling here.

Under Federal Rule of Civil Procedure 26(c)(1), "the court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression or undue burden or expense " It is difficult to see from the documents filed how disclosure of financial information by a publicly-traded company would cause that company serious harm, beyond, perhaps, some annoyance and, perhaps, embarrassment. Nevertheless, restrictions on the use and dissemination of any information learned at Mr. Kimble's deposition can be protected under one or more of the alternatives listed in Federal Rule of Civil Procedure 26(c) (1). Commonly, such an order would limit access to, and use of, the results of the deposition to counsel and to expert witnesses working on the subject of the financial material that the defendant wishes to protect. The court would entertain a stipulation to that effect, or an appropriate motion.

In their filings in regard to this motion, the parties have raised or referred to a number of side issues. The court declines to make any rulings beyond disposition of the motion.

Therefore, it is now

DEPOSTION OF RYAN KIMBLE - 2

ORDERED that Defendant's Motion for Limited Protective Order Regarding Deposition of Ryan Kimble (Dkt. 190) is hereby DENIED.

The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party appearing pro se at said party's last known address.

Dated this 13th day of May, 2019.

ROBERT J. BRYAN

United States District Judge

ORDER DENYING DEFENDANT'S MOTION FOR LIMITED PROTECTIVE ORDER REGARDING