

**IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT**

MEMBER WILLIAMS, et al.)	CASE NO.: CV-2016-09-3928
)	
Plaintiffs)	JUDGE JAMES A. BROGAN
-vs-)	
)	
KISLING NESTICO & REDICK)	<u>ORDER</u>
LLC, et al.)	
)	
Defendants)	

- - -

In September 2017, the trial court entered a Protective Order in this matter. Apparently, the order was entered to minimize pre-trial publicity concerning this lawsuit. Although pre-trial discovery materials are not public records until filed, the trial judge in her order permitted depositions to be filed and designated “confidential.” The designation was to be specific as to the portions of the deposition to be designated “confidential.” Instead, counsel have designated the entire deposition as “confidential” and requested that this Court order the deposition sealed which the Court has done.

Protective orders are usually used in civil proceedings to protect trade secrets of the parties or to prevent the publication of privileged matter. This Court has the duty to make available to the public the pleadings that are filed in a lawsuit. Therefore, it is the order of this Court for the parties to file briefs to show cause why the prior depositions that have been filed in this matter should not be unsealed by this Court. The parties shall do so by **June 17, 2019**. (Paragraph 14 provides that the protective order “shall be subject to modification by the Court on its own motion...or by any other person with standing concerning the subject matter.”). By the way, the public has standing under the circumstances of this case.

IT IS SO ORDERED.



JUDGE JAMES A. BROGAN
Sitting by Assignment #18JA1214
Pursuant to Art. IV, Sec. 6

Ohio Constitution

CC: ALL ATTORNEYS AND PARTIES OF RECORD