UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

LOURDES MATSUMOTO, NORTHWEST ABORTION ACCESS FUND, and INDIGENOUS IDAHO ALLIANCE, Plaintiffs, v. RAÚL LABRADOR, in his capacity as the Attorney General for the State of Idaho, Defendant.	Case No. 1:23-cv-00323-DKG ORDER

INTRODUCTION

Before the Court is Plaintiffs' Motion for Entry of Protective Order forbidding or limiting inquiry, disclosure, and discovery into certain matters. (Dkt. 79). The matter is fully briefed and ripe for consideration. (Dkt. 80, 83, 86). The facts and legal arguments are adequately presented in the record. Accordingly, in the interest of avoiding delay, and because the decisional process would not be significantly aided by oral argument, the motion will be decided on the record. For the reasons that follow, the motion will be granted in part and denied in part.

BACKGROUND

This case involves challenges to the constitutionality of Idaho Code Section 18-623, which "criminalizes 'abortion trafficking' defined as '[a]n adult who, with the intent to conceal an abortion from the parents or guardian of a pregnant, unemancipated minor, either procures an abortion,…or obtains an abortion-inducing drug…by recruiting, harboring, or transporting the pregnant minor within' the state of Idaho." *Matsumoto v. Labrador*, 122 F.4th 787, 796 (9th Cir. 2024) (quoting I.C. § 18-623(1)). Plaintiffs are an individual and two advocacy organizations who seek to counsel pregnant minors in Idaho and provide material support to access legal abortion in other states. *Id.* at 795. Defendant is the Idaho Attorney General. Plaintiffs assert claims alleging Idaho Code Section 18-623 is void for vagueness under the Fourteenth Amendment, infringes on their First Amendment rights to speak and associate, and infringes on their right to interstate travel. (Dkt. 1, 41). Defendant asserts affirmative defenses, including: immunity, lack of standing, failure to state a claim, lack of jurisdiction, relief inconsistent with state law, and unclean hands. (Dkt. 65).

The parties have been engaged in discovery for some time, with a current discovery deadline of March 16, 2026. (Dkt. 64, 69, 80, 92). The Court has conducted an informal conference and held a status conference, to address discovery matters. (Dkt. 71, 81). The parties have conferred in good faith, but are unable to agree on certain discovery disputes. Consequently, Plaintiffs filed the instant motion seeking entry of a protective

order regarding inquiries, discovery, and disclosure of the identities of nonparties and inquiries into alleged criminal conduct. (Dkt. 79).[1]

STANDARD OF REVIEW

District courts have broad discretion to permit, limit, or deny discovery. Fed. R. Civ. P. 26(b), (c). Indeed, a court "must limit the frequency or extent of discovery otherwise allowed" if "(i) the discovery sought is unreasonably cumulative or duplicative, or can be obtained from some other source that is more convenient, less burdensome, or less expensive; (ii) the party seeking discovery has had ample opportunity to obtain the information by discovery in the action; or (iii) the proposed discovery is outside the scope permitted by Rule 26(b)(1)." Fed. R. Civ. P. 26(b)(2)(C).

A party or person from whom discovery is sought may move for a protective order, after conferring in good faith to resolve the dispute. Fed. R. Civ. P. 26(c)(1). A court may, for good cause, issue an order to "protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense." Fed. R. Civ. P. 26(c)(1). "The Supreme Court has interpreted this language as conferring 'broad discretion on the trial court to decide when a protective order is appropriate and what degree of protection is required.'" *Phillips ex. rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206, 1211 (9th Cir. 2002) (quoting *Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 36 (1984)). In fact, Rule 26(c) provides a variety of methods for the district court to protect a party or a

[1] Plaintiffs filed a separate motion for entry of a general protective order regarding documents. (Dkt. 78). The Court has addressed that motion in a separate order.

person from discovery, including forbidding discovery, disclosure, or inquiry into certain matters, or limiting the scope of disclosure or discovery to certain matters. Fed. R. Civ. P. 26(c)(1)(A), (D); *Moore v. Battelle Energy Alliance, LLC*, 2023 WL 1767391, at *3 n. 4 (D. Idaho Feb. 2, 2023).

The party seeking a protective order bears the burden of establishing good cause for why a protective order is necessary. *Phillips*, 307 F.3d at 1210-1211. Good cause is shown when a party sets forth the specific harm or prejudice that will result in the absence of a protective order. *Id.* "Broad allegations of harm, unsubstantiated by specific examples or articulated reasoning, do not satisfy the Rule 26(c) test." *Beckman Indus., Inc. v. Int'l Ins. Co.*, 966 F.2d 470, 476 (9th Cir. 1992) (citation omitted). "If a court finds particularized harm will result from disclosure of information to the public, then it balances the public and private interests to decide whether a protective order is necessary." *Phillips*, 307 F.3d at 1211. Courts making this determination consider the following non-mandatory, non-exhaustive factors:

1) whether disclosure will violate any privacy interests;
2) whether the information is being sought for a legitimate purpose or for an improper purpose;
3) whether disclosure of the information will cause a party embarrassment;
4) whether confidentiality is being sought over information important to public health and safety;
5) whether the sharing of information among litigants will promote fairness and efficiency;
6) whether a party benefitting from the order of confidentiality is a public entity or official; and
7) whether the case involves issues important to the public.

In re Roman Catholic Archbishop of Portland in Oregon, 661 F.3d 417, 424 n. 5 (9th Cir. 2011) (citing *Glenmede Tr. Co. v. Thompson*, 56 F.3d 476, 483 (3d Cir. 1995)).

DISCUSSION

On this motion, Plaintiffs request entry of a protective order precluding: 1) inquiries, discovery, and disclosure of the identities of nonparty individuals who have sought assistance from Plaintiffs with obtaining abortion care; and 2) inquiries into whether Plaintiffs violated criminal statutes other than Idaho Code Section 18-623. (Dkt. 79, 86). Defendant opposes the motion, arguing the information sought to be precluded is relevant to the claims and defenses in this litigation, and that Plaintiffs have failed to show good cause for issuance of the requested protective order. (Dkt. 83). For the reasons discussed below, the Court finds good cause has been shown to enter a protective order.

As a threshold matter, the Court finds the information at issue in this motion is outside the scope of discovery and, therefore, properly subject to a protective order. Fed. R. Civ. P. 26(b)(1)(C)(iii) and 26(c)(1)(A), (D). That is to say, the identities of nonparty individuals who sought assistance from Plaintiffs with obtaining abortion care and conduct by Plaintiffs' allegedly violating other criminal statutes are not relevant or proportional to the needs of the case.

The scope of discovery is defined as "any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case…." Fed. R. Civ. P. 26(b)(1). Relevance is defined broadly for purposes of discovery, but is not without limitations. *See e.g., Hickman v. Taylor*, 329 U.S. 495, 507 (1947) (finding discovery,

while broad and liberal, still "has ultimate and necessary boundaries."); *Kirkpatrick v. Tigard-Tualatin Sch. Dist.*, 2025 WL 2986912, at *2 (D. Or. Oct. 22, 2025) ("For the purposes of discovery, relevance is defined very broadly" but "is not boundless.") (marks and citation omitted). When determining proportionality, courts consider "the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit." Fed. R. Civ. P. 26(b)(1). "Information within the scope of discovery need not be admissible in evidence to be discoverable." *Id.* District courts have broad discretion to determine relevancy for discovery purposes, and to limit discovery that is irrelevant to any party's claim or defense or disproportional to the needs of the case. Fed. R. Civ. P. 26(b)(1); *Hallett v. Morgan*, 296 F.3d 732, 751 (9th Cir. 2002). The merits of the claims and defenses are not at issue on this motion nor decided herein. Rather, at this stage the Court considers only whether the information in question is relevant to any claim or defense and proportional to the needs of the case. Fed. R. Civ. P. 26(b)(1), 26(c).

Here, one need look no further than the introductions in the briefing to know the parties assert differing claims, defenses, and theories in this litigation. (Dkt. 79, 83, 86). Plaintiffs bring claims challenging whether Idaho Code Section 18-623 violates their constitutional rights and assert the case is about honoring reproductive choice. (Dkt. 79). Defendant states this case is about defending the rights of parents to raise and make

medical decisions for their children, and the State's role in protecting the integrity of the parent-child relationship and protecting minors from abuse, neglect, or abandonment as reflected in Idaho's statutory framework. (Dkt. 83). Defendant seeks discovery of the identities of individuals who have sought assistance from Plaintiffs and of conduct by Plaintiffs allegedly prohibited by Idaho law, including Idaho Code Section 18-623 and other statutes, to establish its theory of the case and its affirmative defenses of standing, unclean hands, and relief inconsistent with an issue of state law. (Dkt. 65 at ¶¶ 2, 8; Dkt. 79, Ex. A-C; Dkt. 83; Dkt. 86, Ex. A-C).

The core of this litigation is Idaho Code Section 18-623. The scope of discovery for both parties is therefore tethered to that statute. The parties are free to seek discovery of information relevant to the claims and defenses asserted, and are not limited to the opposing party's theories or arguments. *See e.g., Big City Dynasty v. FP Holdings, L.P.*, 336 F.R.D. 507, 510-512 (D. Nev. Sept. 14, 2020). However, the parties may not pursue discovery that is irrelevant to the claims and defenses, or not proportional to the needs of the case. Fed. R. Civ. P. 26(b)(1), (b)(2)(C)(iii).

The identities of nonparties who sought Plaintiffs' assistance with obtaining abortion care do not bear on and are not needed to resolve the claims or defenses in this case – e.g., whether Idaho Code Section 18-623 infringes on Plaintiffs' constitutional rights, whether Plaintiffs have standing, whether Plaintiffs have unclean hands, or whether Plaintiffs seek relief inconsistent with state law. The individuals who sought Plaintiffs' assistance are not parties in this litigation. The claims are not brought by, or on

behalf of, any these individuals, and are not based on the actions of these individuals. Rather, it is the rights and actions of Plaintiffs, not those who sought their assistance, that are at issue in this case. The identities of any individuals who sought assistance from Plaintiffs are therefore irrelevant and, for the reasons discussed herein, that disclosure of their identities is disproportional to the needs of the case. Fed. R. Civ. P. 26(b)(1); (b)(2)(C)(iii).

Defendant reasons that the identities of these individuals is relevant to its standing challenges, other defenses, and theory of the case, which necessitate inquiries into whether Plaintiffs ever procured an abortion; whether any abortion actually took place; what assistance Plaintiffs provided; what actions Plaintiffs have taken; and Plaintiffs' real, concrete plans to procure abortions in the future. (Dkt. 83). The Court respectfully disagrees.

Obtaining the identities of nonparty individuals to verify whether an abortion was procured or whether Plaintiffs engaged in conduct violating Idaho Code Section 18-623 is not relevant to standing in the pre-enforcement context, as Plaintiffs are not required to establish that they have or will violate the challenged law. *Arizona v. Yellen*, 34 F.4th 841, 849 (9th Cir. 2022) (citing *Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 163 (2014) ("Nothing in this Court's decisions requires a plaintiff who wishes to challenge the constitutionality of a law to confess that he will in fact violate that law."); *MedImmune, Inc. v. Genentech, Inc.*, 549 U.S. 118, 129 (2007); *Free Enter. Fund. v.*

Pub. Co. Acct. Oversight Bd., 561 U.S. 477, 490 (2010)); *see also Matsumoto*, 122 F.4th at 797-802.

To be sure, Defendant may pursue discovery putting Plaintiffs' claims and allegations to the test, and to assert its defenses. Defendant may inquire about and contest Plaintiffs' claims and standing to challenge Idaho Code Section 18-623, including discovery about Plaintiffs' conduct and actions or intended actions relevant to that statute, and may seek relevant discovery for its other defenses. Indeed, Defendant may inquire about the actions and assistance Plaintiffs have provided or intend to provide to nonparty individuals that violate Idaho Code Section 18-623, which may yield non-identifying information about the individuals who sought Plaintiffs' assistance – such as age, general location, dates, and relevant medical information.[2] However, the identities of nonparty individuals are of no relevance to Plaintiffs' standing, the claims, or the defenses asserted by Defendant in this litigation, and disclosure of their identities is wholly disproportional to the needs of this case. Defendant can make the inquiries and obtain the discovery needed to assert its defenses and theory of the case without the identities of these individuals.

Similarly, discovery into Plaintiffs' conduct allegedly proscribed by other laws and unrelated to Idaho Code Section 18-623, is irrelevant and disproportional to the needs of this case. Again, this litigation is about Idaho Code Section 18-623. Defendant may

[2] Consistent with Local Civil Rule 5.5 and the general protective order entered in this case, private medical information should be appropriately designated and/or redacted as necessary and consistent with applicable law.

seek discovery into Plaintiffs' conduct relevant to Idaho Code Section 18-623 to pursue its theory of the case and affirmative defenses – most notably, standing and unclean hands. (Dkt. 65 at ¶¶ 2, 8; Dkt. 83).

As to standing, Defendant may inquire of Plaintiffs regarding their past and planned future conduct relative to Idaho Code Section 18-623, including conduct allegedly violating that statute. However, as discussed above, inquiries about conduct violating other laws is simply not relevant to standing in this pre-enforcement case or to any of the claims and other defenses in this litigation. Fed. R. Civ. P. 26(b)(1).[3]

As to the affirmative defense of unclean hands, a defendant must establish that: (1) "plaintiff's conduct is inequitable," and (2) "the conduct relates to the subject matter of [the plaintiff's] claims." *Pom Wonderful LLC v. Coca Cola Co*., 166 F.Supp.3d 1085, 1092 (C.D. Cal. Feb. 19, 2016) (brackets in original) (quoting *Fuddruckers, Inc. v. Doc's B.R. Others, Inc*., 826 F.2d 837, 847 (9th Cir. 1987)). "With respect to the second requirement, although 'precise similarity' between the plaintiff's inequitable conduct and the plaintiff's claims is not required, the misconduct 'must be relative to the matter in which [the plaintiff] seeks relief.'" *Id.* (quoting *POM Wonderful LLC v. Welch Foods, Inc*., 737 F.Supp.2d 1105, 1110 (C.D. Cal. 2010) (alterations in original) (quoting *Precision Instrument Mfg. Co. v. Auto. Maint. Mach. Co*., 324 U.S. 806, 814 (1945))). "The unclean hands maxim is not a search warrant authorizing the defendant to probe

[3] The Court has similarly denied Plaintiffs' requests to refer to other statutes and regulations not at issue in this litigation in the general protective order for documents. (Dkt. 78).

into all the possible types of inequitable conduct ever engaged in by the plaintiff." *Id* (citation and marks omitted).

Thus, to show unclean hands, Defendant must demonstrate inequitable conduct by Plaintiffs concerning their own claims, or that Plaintiffs acted in bad faith relative to the subject matter of their pleading. *Precision Instrument*, 324 U.S. at 814–815. Conduct by Plaintiffs that allegedly violates statutes other than Idaho Code Section 18-623 is irrelevant to the unclean hands defense, as it does not go to show that Plaintiffs engaged in inequitable conduct related to the subject matter of Plaintiffs' claims in this litigation. *Pom Wonderful LLC*, 166 F.Supp.2d at 1092. This information is also not proportional to the needs of the case because violations of other statutes not at issue in this litigation does not bear on the challenges to Idaho Code Section 18-623.

In sum, Defendant's contentions that it is "entitled to verify or impeach" and to "test the veracity" of Plaintiffs' allegations, assertions, and claims and assert its own defenses and theories, does not mean Defendant is entitled to demand any discovery it wishes. (Dkt. 83 at 7-8). Discovery must still be relevant and proportional to the needs of the case. Fed. R. Civ. P. 26(b)(1). The identities of nonparty individuals who sought assistance from Plaintiffs and actions by Plaintiffs allegedly violating other statutes are neither relevant nor proportional to this litigation and, therefore, the frequency or extent of this discovery must be limited. Fed. R. Civ. P. 26(b)(2)(C)(iii). Moreover, as discussed below, the Court finds the particularized harms and private interests in favor of protecting the identities of the nonparties and precluding inquiries into conduct related to statutes

other than Idaho Code Section 18-623 substantially outweigh the public interests in disclosure of such information. Fed. R. Civ. P. 26(c).

1. Identities of Nonparties

Disclosure of the identities of individuals who have sought Plaintiffs' assistance with obtaining abortion care will result in particularized harm. These individuals are nonparties to this litigation and the information to which their identities are connected involves highly sensitive, private medical information concerning reproductive decisions, including abortion, which raises particularly strong privacy interests. *See e.g., Doe v. Bonta*, 101 F.4th 633, 637-638 (9th Cir. 2024) (recognizing a right to informational privacy under the Fourteenth Amendment stemming from an individual's interest in avoiding disclosure of highly sensitive, intimate personal information like medical records related to abortion); *Planned Parenthood of S. Ariz. v. Lawall*, 307 F.3d 783, 790 (9th Cir. 2002) (recognizing privacy protections for information regarding an abortion decision); *Moore*, 2023 WL 1767391, at * 4-5 (discussing the importance of protecting privacy of nonparties' personal information, particularly with sensitive, nonpublic, medical, and potentially embarrassing information). That certain of the nonparty individuals whose identities are sought to be protected are or were minors at the time they sought Plaintiffs' assistance, heightens the concerns about privacy and the resulting harm. Under the specific circumstances and facts of this case, Plaintiffs have established specific examples of real and particularized harms that would arise from the disclosure of the identities of nonparties who have sought assistance from Plaintiffs with obtaining

abortion care poses real and particularized harms, including: embarrassment and harassment of individuals not a party to this litigation; invasion of nonparties' interests in the confidentiality of their private information; and deterring individuals from seeking assistance. As noted by the Ninth Circuit, the circumstances under which individuals sought assistance from Plaintiffs may have involved difficult or ongoing troubling situations where disclosing their identities would result in physical or mental harm, embarrassment, and harassment. *See e.g. Matsumoto*, 122 F.4th at 810 (describing scenario involving an underage victim of incest). Further, Defendant's stated intent for requesting the identities of nonparties is to locate and contact these individuals, and to challenge Plaintiffs' standing and assert other defenses. (Dkt. 79 at ¶¶ 11-12, 16; Dkt. 83 at 5-10). However, as determined above, the nonparties' identities are irrelevant and not proportional to the needs of this case for these purposes and, therefore, disclosure would serve only to annoy, harass, and embarrass the nonparties.

Balancing the public and private interests, the Court finds a protective order under the terms discussed herein is necessary in this case to protect the compelling privacy interests in maintaining the anonymity of nonparties given the particular facts and circumstances of this case. Considering the factors of *In re Roman Catholic Archbishop of Portland*, in particular factors one, two, three, and five, the private interests here are strong and weigh heavily in favor of protecting the nonparties' identities. Disclosing the identities of nonparties, even with a confidentiality or attorney eyes only designation, would cause specific harm and violate privacy interests in a number of ways, including:

breaching the confidentiality assurances given to and relied on by these individuals at the time they sought assistance; subjecting the individuals to undue embarrassment and harassment in this litigation to which they are not a party; and deterring others from seeking similar assistance. Fed. R. Civ. P. 26(c)(1)(A), (D). Importantly, as determined above, the identities of nonparties who sought assistance from Plaintiffs is not relevant to the claims and defenses in this litigation and disclosure of their identities is not proportional to the needs of the case. Fed. R. Civ. P. 26(b)(1), (b)(2)(C)(iii). For these reasons, the Court finds the particularized harms and private interests favoring protecting the identities of the nonparties here, substantially outweigh the public interests in disclosure.

Accordingly, the Court will grant the motion and will enter a protective order precluding disclosure and discovery of the identities and the identifying information of individuals who sought assistance from Plaintiffs with obtaining abortion care. The identities and identifying information of nonparty individuals who sought the assistance of Plaintiffs with obtaining abortion care are not discoverable, may not be disclosed in this litigation, and must be redacted from all discovery produced. No party may inquire about the identities or identifying information of these nonparties, and the parties may instruct witnesses to and may themselves refuse to respond to such inquires. Identifying information about these nonparty individuals includes any information that identifies, or can be used to identify, a particular individual, such as: names, images, addresses,

telephone numbers, email addresses, dates of birth, social security numbers, passport/driver's license numbers, and the like.

This protective order is narrow and limited to preclude only the identities of the nonparties who sought Plaintiffs' assistance with obtaining abortion care. The parties may inquire into and disclose general, non-identifying relevant information about these individuals, such as: age; number of individuals; geographic location; details such as dates, type, nature, and extent of the assistance sought and/or provided by Plaintiffs; and other information about nonparty individuals.

2. Inquiries into Plaintiffs' Conduct

Plaintiffs have established a specific particularized harm or prejudice that will result in the absence of a protective order concerning inquiries into their alleged criminal actions that violate statutes other than Idaho Code Section 18-623. *Beckman*, 966 F.2d at 476. Defendant has clearly expressed its intention to investigate alleged criminal actions by Plaintiffs violating other statutes not at issue in this litigation. (Dkt. 83, at 4, 13-16; Dkt. 86 at 1, n. 1). The likelihood of a criminal investigation and prosecution based on conduct allegedly violating statutes unrelated to this litigation is a particularized harm as it has a substantial chilling effect on the exercise of constitutional rights, and improperly subjects Plaintiffs to oppression and harassment. *See e.g., Rivera v. NIBCO, Inc.*, 364 F.3d 1057, 1065 (9th Cir. 2004) (recognizing the chilling effect of allowing discovery into and disclosure of workers' immigration status on bringing civil rights actions due to the fear of deportation or criminal prosecution); *Goninan v. Wash. Dep't of Corr.*, 2018

WL 4630205, at *2 (W.D. Wash. Sept. 26, 2018) ("Though more commonly used during discovery to insulate sensitive discovery materials, a protective order may also be used to protect a party or potential party from intimidation or retaliation."); Fed. R. Civ. P. 26(c).

Balancing the public and private interests using the factors set forth in *In re Roman Catholic Archbishop of Portland*, the Court finds a protective order under the terms discussed herein is necessary to protect the Plaintiffs' substantial privacy interests in this case, which outweigh the public interests in such information. The first and third factors – disclosure violates privacy interests and causes a party embarrassment – weigh heavily in favor of non-disclosure. Discovery into allegations of criminal conduct unrelated to this litigation plainly violates privacy interests, would cause embarrassment, and would subject Plaintiffs to harassment, retaliation, and oppression, including criminal prosecution. Fed. R. Civ. P. 26(c)(1). However, Defendant is not precluded from inquiring about and seeking discovery relevant to conduct relevant to and allegedly violating Idaho Code Section 18-623, including criminal conduct.

Having found that Defendant may inquire about Plaintiffs' conduct as it relates to Idaho Code Section 18-623 – including alleged criminal conduct – the Court recognizes that Plaintiffs may assert their Fifth Amendment rights in response to such inquiries. *Maness v. Meyers*, 419 U.S. 449, 464 (1975) (The Fifth Amendment privilege may be asserted "in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory.") (citation omitted). Even so, the Fifth Amendment privilege cannot be invoked as a shield to oppose discovery and then later waived to support that party's

assertions. *United States Securities and Exchange Commission v. Cutting*, 2022 WL 4536816, at *8-9 (D. Idaho Sept. 28, 2022) (discussing cases). And, "in a civil case, the Fifth Amendment's protections against self-incrimination are invoked on a question-by-question basis, and therefore the assertion of the privilege necessarily attaches only to the question being asked and the information sought by that particular question." *Glanzer*, 232 F.3d at 1265 (citing *United States v. Rendahl*, 746 F.2d 553, 555 (9th Cir. 1984)). A blanket protective order prohibiting discovery and inquiries into all alleged criminal conduct is therefore not warranted.

CONCLUSION

In sum, the Court must limit the frequency or extent of discovery if it determines that the proposed discovery is outside the scope permitted by Rule 26(b)(1), and has broad discretion to forbid or limit discovery and to limit the scope of discovery where good cause is shown. Fed. R. Civ. P. 26(b)(2)(C), 26(c)(1); *Seattle Times*, 467 U.S. at 36. Under the particular circumstances of this case and for the reasons stated herein, the Court will grant in part and deny in part the motion for protective order and will enter a protective order prohibiting the disclosure of the identity of any nonparty individual who has sought or obtained abortion care with the assistance of Plaintiffs; and discovery inquiries into alleged criminal conduct by Plaintiffs under statutes other than Idaho Code Section 18-623. Discovery into these matters is irrelevant, disproportional to the needs of the case, and good cause has been shown to protect a party and persons from annoyance, embarrassment, and oppression. Fed. R. Civ. P. 26(b)(2)(C)(iii), 26(c)(1)(A) and (D).

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the Motion for Entry of a Protective Order (Dkt. 79) is **GRANTED IN PART AND DENIED IN PART**, as stated herein. A separate protective order will be entered consistent with this ruling.

DATED: December 5, 2025

Honorable Debora K. Grasham
United States Magistrate Judge