

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

STATE OF ARIZONA, *et al.*,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., *et al.*,

Defendants.

Case No. 3:26-cv-01609-VC

**STIPULATION FOR ENTRY OF PROTECTIVE ORDER**

Pursuant to Federal Rule of Civil Procedure 26(c), the parties jointly request the entry of a protective order in this case. The parties have reached agreement as to the contents of that order, and a copy of their proposed Stipulated Protective Order is attached as Exhibit A. The parties therefore respectfully request adoption of that order for the reasons discussed below.

**DISCUSSION**

The Court may, for good cause, issue a protective order governing the disclosure of information in any of a variety of circumstances. *See* Fed. R. Civ. P. 26(c)(1). Good cause exists for the entry of a protective order here.

For this Administrative Procedure Act (“APA”) case, judicial review is substantially based on the administrative records for the challenged actions. Defendants contend that the documents contained in these administrative records include confidential information belonging to parties and/or non-parties, as well as personally identifiable information; protected health information; documents relating to a person’s past, present, or potential future employment; and information otherwise protected by the Privacy Act or the Health Insurance Portability and Accountability Act of 1996. Defendants are obligated by statute and regulation to maintain the

confidentiality of such information. *See, e.g.*, 5 U.S.C. § 552a; 18 U.S.C. § 1905; 21 U.S.C. § 331(j).

The proposed Stipulated Protective Order would allow Defendants to disclose the complete administrative records to Plaintiffs in a manner consistent with the above obligations. Absent such a protective order, Defendants would ordinarily need to comprehensively review the administrative records for confidential information and protected privacy information and redact such information from the documents before they are disclosed to Plaintiffs. Given the volume of the administrative records at issue here, that approach would require significant additional time and resources while also limiting Plaintiffs' access to information they may consider to be material to their claims or defenses. Entry of the attached Stipulated Protective Order would therefore facilitate a more efficient and expeditious resolution of this case.

The proposed Stipulated Protective Order is based on the Stipulated Protective Order (ECF No. 320) in *American Academy of Pediatrics ("AAP"), et al. v. Kennedy, et al.*, No. 1:25-cv-11916-BEM (D. Mass.), a case that challenges the same actions on the same grounds. Although the parties considered this Court's Model Stipulated Protective Order for Standard Litigation, they believe the *AAP* Stipulated Protective Order is a better fit for this case because it reflects that this is an APA case to be reviewed on the administrative records, not a case with standard civil discovery. Basing the Stipulated Protective Order in this case on that in *AAP* would also be efficient and promote the consistent treatment of confidential information across the two cases.

The proposed Stipulated Protective Order accommodates the fact that Defendants intend to produce to Plaintiffs only the unredacted versions of the confidential documents in the administrative records, given the large volume of confidential information and the fact that much

of it may never be included in court filings. Paragraph 4 of the proposed Stipulated Protective Order provides that a party that seeks to file under seal any document containing Confidential Information must comply with Civil Local Rule 79-5, with the following modification: Unless the entire document is confidential, the filing party must file a redacted version of the document on the public docket and an unredacted version of the document under seal with proposed redactions highlighted within seven days after initially filing the document under seal. The filing party may request to extend this seven-day period or modify this procedure for good cause. This provision allows the parties to identify redactions for only those documents filed with the Court, and it allows them to identify redactions seven days after filing because Plaintiffs may not know which information Defendants consider to be confidential, and the parties may need to confer about which information to redact.

### CONCLUSION

For the foregoing reasons, the parties respectfully request that the Court enter the attached Stipulated Protective Order.

June 12, 2026

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the CM/ECF system, will be sent via electronic mail to the registered participants as identified on the Notice of Electronic Filing.

June 12, 2026

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