
FLORIDA, MIDDLE DISTRICT DISCOVERY HANDBOOK (2015)
SECTION VII: MOTIONS TO COMPEL, FOR A PROTECTIVE...
[ALL-IN-ONE DOCUMENT]

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FLORIDA, MIDDLE DISTRICT DISCOVERY HANDBOOK | FEDERAL

SECTION VII MOTIONS TO COMPEL, FOR A PROTECTIVE ORDER...

RULES: A-C

VII.A | REFERENCE TO LOCAL RULE 3.04

The procedures and guidelines governing the filing of motions to compel and for protective order are set forth in Local Rule 3.04, Middle District of Florida.

VII.B | EFFECT OF FILING A MOTION FOR A PROTECTIVE ORDER

The mere filing of a motion for a protective order does not, absent an order of the Court granting the motion, excuse the moving party from complying with the requested or scheduled discovery. Upon receipt of objectionable discovery, a party has a duty to seek relief immediately, i.e., without waiting until the discovery is due or almost due. Upon receipt of a motion for a protective order, the Court may issue a temporary stay of discovery pending resolution of the motion. However, a party's diligence in seeking relief is a principal factor in the decision whether to grant a stay.

VII.C | MOTION FOR STIPULATED PROTECTIVE ORDER

Parties wishing to keep confidential documents obtained or disclosed during discovery, including for attorneys' eyes only, may file a motion for protective order, with a proposed order, showing good cause for the relief requested. Notwithstanding any provision in the stipulated protective order, nothing in the court's order shall authorize any party to file under seal, absent further court order, any confidential discovery material with the Clerk of Court or at trial, as such filings are subject to greater scrutiny due to the common law right to inspect and copy judicial records and public documents. See Section I(C) for filing of discovery and other documents under seal. See also Local Rule 1.09, Middle District of Florida.

APPENDIX

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