

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 18-7480 JAK (MRWx) Date November 25, 2019

Title Lavigne v. Herbalife Ltd.

Present: Hon. Michael R. Wilner, U.S. Magistrate Judge

Veronica Piper

XTR 11/25/2019

Deputy Clerk

Court Reporter / Recorder

Attorneys for Plaintiff:  
Etan Mark / Jason Jones

Attorneys for Defendant:  
Gopi Panchapakesan / Paul Chan

**Proceedings: ORDER AMENDING DISCOVERY RULING**

1. The Court recently issued a ruling on a discovery motion that contained a rather unfortunate mistake. Let's correct it. The Salty Droid blog is operated by one of the lawyers in the action, not a litigant. (Docket # 203 at 6.) An unforced error on my part.

2. But it doesn't affect the Court's central conclusion in its decision. The compensation and discipline information should be produced in this case. Moreover, the information warrants a presumptively increased level of confidentiality to be monitored and enforced through the entry of a revised protective order.

3. The Court conducted a lengthy telephone call with the lawyers – including the central Mr. Jones. (Docket # 204.) In that call, the Court laid out a parade of personal and professional horrors that could occur should anyone associated with the case (lawyer, litigant, staff, etc.) deliberately violate a federal court order.

4. Based on that discussion and the assurances received, the Court concludes that Mr. Jones (a licensed attorney in Ohio and admitted to this Court pro hac vice) may receive AEO materials following the prompt presentation and entry of a protective order. In an abundance of caution, Mr. Jones will be one of the signatories to the proposed order when it's presented to the Court.

5. To be clear, Mr. Jones (and others associated with the action) will not disclose the substance or specifics of these materials with clients or the public in any forum. He may advise clients "about top-level conclusions about the information to keep them reasonably apprised about the status of the case." (Docket # 203 at 6 n.5.) Use great care in doing so, though, or avoid the topic in its entirety – that'll take the issue off the table.

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