

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Ronald A. Guzman	Sitting Judge if Other than Assigned Judge	Nan R. Nolan
CASE NUMBER	02 C 5893	DATE	1/28/2005
CASE TITLE	Lawrence Jaffe vs. Household International, Inc.		

DOCKET ENTRY TEXT:

Household defendants' motion to amend the protective order is entered and continued pending further briefing by the parties. Before ruling on current motion, the Court would like the parties to address the value of the information based on its age. The Household Defendants are given until 2/9/05 to file any materials addressing this issue. The Lead Plaintiffs may respond by 2/16/05. Status hearing set for 2/17/05 at 10:00 a.m. stands.

■ [For further details see text below.]

STATEMENT

This securities class action is before the Court on the Household Defendants' Motion to Amend the Protective Order. The Household Defendants seek to include an additional category of organizational charts in the Protective Order governing the treatment of confidential discovery material in this action. Lead plaintiffs oppose the Household Defendants' request. For the reasons that follow, the motion is entered and continued pending additional briefing by the parties.

The Household Defendants seek to add the additional category of "Household organizational charts containing non-public employee information" as "Confidential Information" pursuant to the Protective Order. The organizational charts provide employee names, job titles, the hierarchical structure of various departments, and in some cases, the locations of the employees, the general number of employees budgeted for each department, the number of vacant positions, and employee telephone extensions. The Household Defendants argue that good cause exists to protect the organizational charts from public disclosure because a competitor could use the organizational charts to more easily raid the Household Defendants' employees and such loss of skill could be costly. See Woodward Aff. ¶ 7 (stating "[d]issemination of the non-public information in the Human Resources organizational charts would provide a road map directly to employees with specific expertise for these recruiters and others seeking to hire people with relevant experience.").

The organizational charts submitted in camera are dated May 2001, December 2001, and July 2002. The Household Defendants have not addressed the age of the information. How much of the information contained in the organizational charts is current and would the information have relevance to a recruiter or competitor today? The current record contains no evidence regarding the accuracy of the 2001 and 2002 organizational charts. Before ruling on current motion, the Court would like the parties to address the value of the information based on its age. The Household Defendants are given until February 9, 2005 to file any materials addressing this issue. The Lead Plaintiffs may respond by February 16, 2005.

Courtroom Deputy
Initials:

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