

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DEMITRI BROWN and DONNA  
EVANS-BROWN,  
Plaintiffs,

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Civil Action No. 3:12-cv-04947-P

v.

CHRISTOPHER B. BRIDGES,  
ROBERTA SHIELDS, DISTURBING  
THA PEACE ENTERTAINMENT  
COMPANY, INC.,  
Defendants.

DEFENDANT'S MOTION AND SUPPORTING BRIEF FOR  
ENTRY OF PROTECTIVE ORDER

Pursuant to Fed. R. Civ. P. 26(c), Defendant Christopher B. Bridges ("Bridges") files this Motion and Supporting Brief for Entry of Protective Order ("Motion for Protective Order"), showing the Court as follows:

1.

Plaintiffs have served written discovery in this case that seek documents and other information from Bridges of a confidential, proprietary, private, and/or sensitive nature ("Confidential Materials"). For example, Plaintiffs seek Confidential Materials in the form of confidential contracts involving Bridges' music recording services, confidential contracts involving Bridges' DISTURBING THA PEACE® mark, confidential licenses of the DISTURBING THA PEACE® mark, and the like. These agreements contain private business terms, rights, and obligations, of Bridges, his companies, as well as various third parties. Plaintiffs also seek certain extremely

sensitive Confidential Materials, such as confidential revenue information for any products and services offered for sale under the DISTURBING THA PEACE® mark, confidential profit information for such products and services, as well as related confidential financial and accounting information concerning expenditures incurred in promoting the DISTURBING THA PEACE® mark and protecting Bridges' trademark rights in that mark. Bridges desires to limit the disclosure, and to maintain the confidentiality, of his Confidential Materials.

2.

Bridges had objected to the production of his Confidential Materials without the entry of a suitable protective order. (*See, e.g.*, App. [DE 114], p. 29 (responses to RFP Nos. 12 & 13)). In addressing these objections, the Magistrate Judge directed Bridges to file a motion for protective order to govern the production of such Confidential Materials. (*See* Order [DE 106], p. 8).

3.

Further, as discussed at page 12 of Bridges' recent Objection to Findings, Conclusions, and Recommendation of the United States Magistrate Judge [DE 130], Bridges explained that he intended to produce his Confidential Materials to Plaintiffs at his counsel's office, in part, to identify which documents Plaintiffs intend to copy. (*See, e.g.*, App. [DE 114], pp. 19-20 (Bridges' counsel invited Plaintiff to inspect confidential contract to determine if it would need to be produced on a confidential basis)). Bridges does not desire to produce copies of any Confidential Materials directly to the pro se Plaintiffs because, given their history of abusive litigation and related improprieties in

the record, Bridges has no assurance that his Confidential Materials will, in fact, be kept confidential by Plaintiffs or will be used by them solely for the limited purpose of this suit.

4.

The Confidential Materials requested by Plaintiffs, particularly those concerning confidential contracts and contractual terms, revenue, profit, and other financial information, are of an Attorneys' Eyes Only nature. Typically, such documents would be produced solely to Plaintiffs' counsel, but Plaintiffs are proceeding pro se in this suit. Therefore, to ensure proper safeguards for such documents, pursuant to this Motion for Protective Order, and unless Plaintiffs are represented by outside counsel of record in this suit, Bridges seeks to have his counsel retain control of such highly sensitive Confidential Materials, while providing Plaintiffs with full and continuing access to the information contained in such materials.

5.

Specifically, Bridges' proposed protective order, (App., Ex. 1), specifies that for any of Bridges' responsive documents that constitute Confidential Materials, such documents shall be maintained by Bridges' counsel, who will provide Plaintiffs with continuing access to view and inspect such documents at Bridges' local counsel's office in Dallas, Texas, or by way of a secure online viewing platform.<sup>1</sup> As a result, both Plaintiffs will have the ability to view and inspect such documents. Further, the

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<sup>1</sup> In fact, in view of the Magistrate Judge's recommendation [DE 125], Bridges has proposed to accommodate Plaintiffs by making all of Bridges' responsive documents available via an online viewing platform. (See, e.g., App., Exs. 2 & 3).

proposed protective order provides that Plaintiffs may make a formal written request to, and Bridges shall within seven (7) days, file such documents with the Court under seal. This proposed method of production is permissible under Fed. R. Civ. P. 26(c)(1)(A-C) and balances Bridges' significant confidentiality concerns in this case with the need to provide Plaintiffs with reasonable access to Bridges' responsive documents under Fed. R. Civ. P. 34. See *Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 32, 34-36 (1984) (observing that trial court has broad discretion to fashion protective orders under Rule 26(c) and that such orders may be necessary to prevent disclosure of information that "if publicly released could be damaging to reputation and privacy"); *United Surgical Partners Int'l, Inc. v. Stitt*, No. 3:14-cv-0499-D, 2014 U.S. Dist. LEXIS 76895, \*\*5-6 (N.D. Tex. June 5, 2014) (granting protective order to protect confidential documents based on good cause shown).

6.

Absent entry of the proposed protective order, disclosure of Bridges' Confidential Materials is quite probable and will almost certainly harm Bridges and his business interests, causing him "annoyance, embarrassment, oppression, [and] undue burden [and] expense." Fed. R. Civ. P. 26(c). Therefore, and unless a telephonic hearing would be helpful to expedite the Court's review of the Motion, limit additional and unnecessary filings, and otherwise facilitate communications between the parties, Bridges respectfully requests that his proposed protective order be entered by the Court and that the Court order such further and additional relief that it deems appropriate.

Respectfully submitted,

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*Attorneys for Defendant Christopher B. Bridges*

CERTIFICATE OF CONFERENCE

Defendant's counsel contacted Plaintiffs by e-mail and written correspondence prior to filing this Motion. (See App., Exs. 2 & 3). In addition, Defendant's counsel telephoned and spoke with Plaintiff Donna Evans-Brown ("D.E. Brown") concerning the requested relief. D.E. Brown advised that she would communicate with Plaintiff Timothy Demitri Brown ("T.D. Brown") and follow up with Defendant's counsel. Given the well documented delays involved in sending and receiving correspondence to and from T.D. Brown's penitentiary, Defendant does not believe that he will receive T.D. Brown's feedback for some time. Hence, while Defendant has proceeded to file the instant Motion, if the parties are able to further confer and come to an agreement before the Motion is ruled upon, Defendant's counsel shall notify the Court immediately. In addition, Defendant submits for the Court's consideration that a telephonic conference with the Magistrate Judge may be helpful to expedite the Court's review of the Motion, limit additional and unnecessary filings, and otherwise facilitate communications between the parties.

s/ Anuj Desai

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Anuj Desai

CERTIFICATE OF SERVICE

On this 24th day of July, 2014, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all *pro se* parties of record electronically or by another manner authorized by Federal rule of Civil

Procedure 5 (b)(2), as set forth below:

Donna Evans-Brown  
*via ECF*

Timothy Demitri Brown  
10979-035, P.O. Box 8500  
Florence, Colorado 81226-8500

s/ Anuj Desai

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Anuj Desai