

DOCKET NO: NNHCV146050848S

SUPERIOR COURT

WANG, ZHAOYIN

JUDICIAL DISTRICT OF NEW HAVEN  
AT NEW HAVEN

V.

BETA PHARMA, INC. Et Al

10/24/2016

ORDERORDER REGARDING:  
03/29/2016 186.00 MOTION FOR PROTECTIVE ORDER

The foregoing, having been considered by the Court, is hereby:

ORDER: GRANTED

Defendants have made confidentiality or privilege claims with respect to nine documents ("Documents") which they seek to use in support of their pending motion to disqualify plaintiff's counsel. The court has reviewed the various submissions of the parties in connection with the motion for protective order. It also has conducted an in camera review of the Documents so that the court could get a better idea of the specific nature of the underlying privilege and confidentiality claims as well as the potential prejudice, or lack thereof, that may result from submission of the documents subject to the requested protective order.

Upon review, it appears to the court that the present dispute regarding a protective order is a sideshow of no significant consequence. The Documents, whether or not privileged and/or confidential, do not appear to be particularly sensitive in nature, and it does not appear to the court that plaintiff personally (as opposed to plaintiff's attorney) needs access to the Documents for purposes of litigating the Motion to Disqualify. The most efficient and sensible procedure at this point is the one that will expedite adjudication of the pending motion to disqualify plaintiff's counsel. See Docket Entry #183.00 ("Motion to Disqualify Counsel").

The Court therefore grants defendants' motion for a protective order, enters the proposed protective order (see Exhibit A to Docket Entry #187.00) as an order of the court, and orders defendants to submit the Documents promptly and in accordance with the procedures set forth in the protective order, so that the Motion to Disqualify Counsel may proceed without further delay. (When it is ready for adjudication, that motion should be claimed to the short calendar in the usual course, with a request for argument if so desired. It will be assigned to a short calendar judge by the clerk's office.)

In entering this order, the court expresses no view regarding the validity of any claim of privilege or confidentiality made by defendants. Plaintiff retains the ability under the protective order, if he so wishes, to challenge any designation of confidentiality or "Attorneys' Eyes Only" at any time; if the court has seriously misapprehended the need for immediate client input with respect to any particular document(s) subject to the protective order, plaintiff's counsel may challenge the "Attorney's Eyes Only" designation right away. Obviously, taking that step will delay things, and should only be undertaken if truly necessary. The court also notes that an otherwise non-privileged or non-confidential document does not gain privileged or confidential status merely because it is so designated by a party.

It is so ordered.

Paper copy of order mailed to all appearing parties.

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Judge: STEVEN D ECKER