

FILED IN CHAMBERS
U.S.D.C ATLANTA

Date: Jan 13 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

KEVIN P. WEIMER, Clerk

By: s/Kari Butler
Deputy Clerk

GERALD LYNN BOSTOCK,

Plaintiff,

v.

CLAYTON COUNTY,

Defendant.

CIVIL ACTION FILE NO.

1:16-CV-01460-ELR-WEJ

ORDER

Pursuant to this Court's Order of October 26, 2020 [45], counsel for plaintiff requested a conference to address a discovery dispute. The parties submitted their legal positions via email ([109], [110]). This Court held a telephonic hearing regarding this matter on January 13, 2022. This Order memorializes the Court's decision at that hearing.

This discovery dispute concerns the personal diary of retired Clayton County Juvenile Court Judge Steven C. Teske. The parties agree that he was the decisionmaker here. Defendant produced the diary (with limited redactions) and marked it as "Confidential" under the terms of the Consent Protective Order [85] entered in this case on September 10, 2021. That Order designates as

“Confidential Information” broad categories of information and documents, but also includes “[a]ny other document that a party in good faith designates as “confidential.” (Order [85] ¶ (1)(f).) Defendant contends that it made a good faith designation of the Judge’s personal diary as confidential because it was his private musings on numerous matters, including personal activities, court business, and personnel decisions.

Upon review of the diary excerpts submitted, the Court agrees with defendant. As stated during the hearing, it is difficult to imagine a document more sensitive and private than one’s personal diary. Therefore, the Court **DENIES** plaintiff’s request to remove defendant’s designation of Judge Teske’s personal diary as confidential. The designation of the diary as confidential does not prevent a party from filing excerpts from it with the Court. (See Order [85] ¶ 6.)

SO ORDERED, this 13th day of January, 2022.



WALTER E. JOHNSON
UNITED STATES MAGISTRATE JUDGE