

IN THE SUPERIOR COURT OF COBB COUNTY  
STATE OF GEORGIA

NATHAN WADE,

Plaintiff,

v.

JOYCELYN WADE,

Defendant.

CIVIL ACTION  
FILE NO. 21-1-08166-68

  
Connie Taylor, Clerk of Superior Court  
Cobb County, Georgia

**MOTION FOR PROTECTIVE ORDER AND BRIEF IN SUPPORT THEREOF**

COMES NOW, NATHAN WADE, Plaintiff in the above-styled case, and files this his Motion for Protective Order (“Motion”) and, for good cause shown, moves this Court to enter a Protective Order as follows:

1.

The Plaintiff filed this Petition for Divorce on November 2, 2021. The Defendant filed her responsive pleading on November 30, 2021.

2.

The parties, by and through their counsel of record at the time, did enter into a Consent Order Sealing the Record (“Consent Order”). This Consent Order was filed with the Court on February 10, 2022. The clear intention of the parties was to have the case sealed and any information filed in the case protected.

3.

By order dated January 22, 2024, this Court set aside the Consent Order Sealing the Record.

4.

The Plaintiff shows that this case is currently pending and the discovery process is still ongoing.

5.

The Plaintiff shows this Court that, due to the sensitive nature of the parties' financial information and documents, it is appropriate that this Court enter a protective order.

### ARGUMENT AND CITATION OF LAW

6.

O.C.G.A. Sec. 9-11-7.1(f) states as follows:

“(f) Protective orders. For good cause, the court may:

- (1) Order a filing which contains additional personal or confidential information, other than the information required to be redacted pursuant to this Code section, be sealed and may also order that a redacted version of the same filing be filed for the public record; and
- (2) Limit or prohibit a nonparty's remote electronic access to a document filed with the court.”

7.

O.C.G.A. Sec. 9-11-26(c) states as follows:

“(c) Protective orders. Upon motion by a party or by the person from whom discovery is sought and for good cause shown, including, but not limited to, the factors provided in Code Section 9-11-26.1 for the deposition of a high-ranking officer, the court in which the action is pending or, alternatively, on matters relating to a deposition, the court in the county where the deposition is to be taken may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:

- (1) That the discovery not be had;
- (2) That the discovery may be had only on specified terms and conditions, including a designation of the time or place;
- (3) That the discovery may be had only by a method of discovery other than that selected by the party seeking discovery;
- (4) That certain matters not be inquired into or that the scope of the discovery be limited to certain matters;
- (5) That discovery be conducted with no one present except persons designated by the court;
- (6) That a deposition, after being sealed, be opened only by order of the court;

- (7) That a trade secret or other confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way; or  
(8) That the parties simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the court.

If the motion for a protective order is denied in whole or in part, the court may, on such terms and conditions as are just, order that any party or person provide or permit discovery. Paragraph (4) of subsection (a) of Code Section 9-11-37 applies to the award of expenses incurred in relation to the motion.”

8.

Based upon these two code sections, this Court has the ability to enter a protective order regarding the parties’ “personal and confidential information” during litigation and the discovery process.

9.

Plaintiff shows this Court that this case is a proper case for the Court to put in place these protections to protect the parties’ personal and confidential information and respectfully requests that this Court enter a Protective Order requiring that “any filing which contains additional personal or confidential information, other than the information required to be redacted pursuant to this Code section, be sealed.”

WHEREFORE, for the above and foregoing reasons, the Plaintiff respectfully requests that this Court grant his Motion.

Respectfully submitted this 24<sup>th</sup> day of January, 2024.

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