

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: MOVEIT CUSTOMER DATA  
SECURITY BREACH LITIGATION

This Document Relates To:

ALL CASES

MDL No. 1:23-md-03083-ADB-PGL

**MDL ORDER NO. 14**  
**(STIPULATED PROTECTIVE ORDER RE**  
**PLAINTIFFS' BIOGRAPHICAL INFORMATION)**

WHEREAS the Court has ordered the Parties to brief certain threshold issues in the litigation, including issues related to the enforcement of arbitration agreements and/or class action waivers (*see* ECF Nos. 851, 855);

WHEREAS the Court has further ordered that Plaintiffs provide to Defendants biographical information needed to assess whether to bring (1) motion to compel arbitration and/or enforce class waiver provisions or (2) CAFA motion, and that the Parties submit a protective order limited to the biographical information requested by the Defendants (MDL Order No. 13 at 2) (the "Permitted Purpose");

WHEREAS Plaintiffs assert biographical information they intend to provide Defendants for the purposes described above ("Biographical Information"), including but not limited to Social Security Numbers, account numbers, addresses, and dates of birth, is sensitive and confidential information that should be protected from further disclosure or use;

WHEREAS the Court has not yet entered a general protective order in this case;

WHEREAS this Protective Order Regarding Plaintiffs' Biographical Information provides reasonable restrictions on the disclosure of Biographical Information provided to Defendants for

the purpose of assessing whether they may have viable motions to enforce arbitration agreements and/or class actions waivers;

WHEREAS good cause exists for entry of this Order, *see* Fed. R. Civ. P. 26(c);

WHEREAS the parties hereby stipulate to and petition the Court to enter the following Stipulated Protective Order Regarding Plaintiffs' Biographical Information;

WHEREAS the parties acknowledge that the protection this Order affords from public disclosure and use extends only to the limited information or items that are entitled to confidential treatment under the applicable legal principles.

THEREFORE, in view of the foregoing and because the parties hereto, by and through their respective counsel, have stipulated to the entry of the following confidentiality order pursuant to Federal Rule of Civil Procedure 26(c) and Local Civil Rule 5.

**IT IS HEREBY STIPULATED AND ORDERED THAT:**

1. This Order applies to Plaintiffs' Biographical Information Plaintiffs have indicated they will provide to Defendants for the purpose of assessing whether they may have viable motions to enforce arbitration agreements and/or class actions waivers.

2. Once a general protective order is entered in this matter, Plaintiffs will have seven days to relay any applicable designation under that general protective order that they contend apply to Biographical Information .

3. Until the date to make a designation as specified above has passed, Defendants shall not use the Biographical Information for any purpose other than the Permitted Purpose. Until the date such general protective order is entered, if any Defendant believes they must file any Biographical Information on the record, they shall meet and confer with Plaintiffs before doing so and shall provide Plaintiffs the opportunity to stipulate that the Biographical Information provided

matches Defendants' records to avoid any Biographical Information being filed. If the parties cannot agree on such a stipulation, Defendants shall redact Biographical Information from any filing and Plaintiff may move to seal such information. The Court shall decide if, or when, any redacted information shall be filed on the public record.

4. The Parties affirm that they will comply with the privacy requirements of Fed. R. Civ. P. 5.2.

5. Defendants shall use reasonable procedures to protect the confidentiality and privacy of the Biographical Information.

6. The parties shall meet and confer to try to resolve any disputes that may arise under this Protective Order prior to seeking assistance from the Court.

7. Nothing in this Order shall prevent a Defendant from using information that they already have in their business records, whether for ordinary business purposes or with respect to the claims asserted in these litigations.

8. The Parties agree that by entering into this Order, no defendant is waiving any jurisdictional defenses or their right to enforce an arbitration agreement.

9. Any party for good cause shown may apply to the Court for modification of this Order. This Order shall remain in full force and effect and each person subject to this Order shall continue to be subject to the jurisdiction of this Court, for the purposes of this Order, in perpetuity, and the Court shall not be divested of jurisdiction of any person or of the subject matter of this Order by the occurrence of conclusion of this case, or by the filing of a notice of appeal, or other pleading which would have the effect of divesting this Court of jurisdiction of this matter generally.

**IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

Dated: May 2, 2024

Respectfully submitted,

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*Plaintiffs' Lead Counsel*

Dated: May 2, 2024

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*Defendants' Liaison Counsel*

**SO ORDERED.**

May 3, 2024.

*/s/ Allison D. Burroughs*

ALLISON D. BURROUGHS  
U.S. DISTRICT JUDGE