

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DONALD A. KING, *et al.*,

Plaintiffs;

v.

THE SOUTHERN POVERTY LAW  
CENTER, INC.,

Defendant.

Case No. 2:22-cv-207-CLM-JTA

**CONSENT MOTION FOR PROTECTIVE ORDER**

Defendant the Southern Poverty Law Center (SPLC) moves this Court to enter the proposed Protective Order attached hereto as “Exhibit A.” As grounds therefore, the SPLC submits the following:

1. This is a defamation action arising from SPLC’s publications designating Dustin Inman Society, Inc. (“DIS”), as an anti-immigration hate group in its annual listings of hate groups for the years 2017-2020, and its publication of an extremist profile on Dustin Inman Society that is available at the following link: <https://www.splcenter.org/fighting-hate/extremist-files/group/dustin-inman-society>. Plaintiffs allege that SPLC’s publications labeling DIS “anti-immigrant” and certain statements within the extremist profile are false and defamatory, and that they have been damaged by these publications.

2. The Parties are engaged in discovery, and SPLC is preparing to produce confidential business records, including unpublished newsgathering materials protected by the First Amendment and common-law reporters' privilege, in response to Plaintiffs' first set of written discovery requests. SPLC is also serving requests for production on Plaintiffs seeking business, financial and medical records that are relevant to Plaintiffs' claims and alleged damages in this litigation.

3. Good cause exists to enter a protective order prohibiting the dissemination of confidential materials exchanged during the discovery process in this case. Rule 26 of the Federal Rules of Civil Procedure permits the Court to enter a protective order where "justice requires to protect a party or person from annoyance [or] embarrassment." Fed. R. Civ. P. 26(c). The requested protective order preventing the disclosure of discovery materials to non-parties is intended to "encourage maximum participation in the discovery process, conserve judicial resources and prevent the abuses of annoyance, oppression and embarrassment." *In re Alexander Grant & Co. Litigation*, 820 F.2d 352, 357 (11th Cir. 1987) (affirming determination there was good cause for protective order preventing dissemination of discovery materials to third parties); *see also Romero v. Drummond Co.*, 480 F.3d 1234, 1245 (11th Cir. 2007) ("The need for public access to discovery is low because discovery is essentially a private process ... the sole purpose [of which] is to assist trial preparation.").

4. SPLC attaches the proposed protective order as “Exhibit A” and request that the Court enter it to protect the confidential nature of the information and documents described therein.

5. Counsel for Plaintiffs have stated they consent to the entry of this Protective Order.

WHEREFORE, PREMISES CONSIDERED, the SPLC respectfully requests that this Court enter the proposed Protective Order attached as “Exhibit A.”

Respectfully submitted on this 3rd day of November, 2023.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3rd day of November, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

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