

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**TONY M. RUIZ,
ADC #157474**

PLAINTIFF

v.

Case No. 1:18-cv-00025-KGB-JTK

ZACHERY HARMON, *et al.*

DEFENDANTS

AGREED PROTECTIVE ORDER

Plaintiff has requested discovery of records containing sensitive information including disciplinary records regarding Defendants and inmate grievances against Defendants. Such information, if disclosed to Plaintiff, arguably could pose a security risk. However, Defendants have the information as part of responses to discovery. Discovery was recently re-opened and Defendants want to provide their responses to Plaintiffs' Counsel so as not to delay upcoming depositions. In order to permit Plaintiff's Counsel adequate access to the records necessary to present completely Plaintiff's case herein, and, at the same time to protect security at the prison and protect persons named in records maintained by Defendant and its employees, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Defendants have agreed to produce complete copies of disciplinary records regarding Defendants and grievances by other inmates against Defendants requested by Plaintiff pursuant to the Federal of Civil Procedure;
2. Said documents shall be considered confidential;
3. All confidential records or other information provided hereunder shall be used for the purpose of this litigation, and none of the confidential material may be used for any other purpose whatsoever. Moreover, Plaintiff may not utilize directly or indirectly the confidential records,

documents, or other information made available pursuant to this Order in any other administrative complaint, proceeding, or civil action;

4. All confidential records, documents, tapes, or other information provided hereunder shall be retained in the custody of the Plaintiff's Counsel during the pendency of this litigation;

5. If confidential documents or records are used during depositions, those portions of depositions mentioning the documents or involving the depositions shall be treated as confidential in accordance with this Order; except Plaintiff's Counsel may discuss such information in general terms with the Plaintiff;

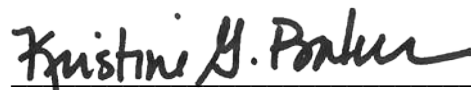
6. Plaintiff's Counsel may use such documents in this litigation and at trial, if otherwise admissible. However, this Order does not constitute a ruling on the admissibility of said records;

7. Plaintiff's Counsel, promptly upon completion of this litigation, or before if at such time he has no further use of the confidential information, whichever shall first occur, shall return to the Defendants' Counsel all materials produced, and all copies and extracts of data from such materials, at the cost to Defendants' Counsel;

8. This Protective Order shall govern all pre-trial proceedings but shall be subject to modification either before, during or after the trial on the merits, upon application of any of the parties to this lawsuit and for good cause shown;

9. This Order is without prejudice to the rights of any party to make objections to the discovery as permitted by the Federal Rules of Civil Procedure or by any statute or other authority.

So ordered this the 26th day of June, 2020.



Kristine G. Baker
United States District Judge