

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

**GARY COVINGTON, on behalf of
Himself and all Others Similarly
Situated**

PLAINTIFFS

v.

NO. 2:12-cv-123-DPM

**NEAL BYRD, in his Official
Capacity, DALE ACOSTA,
Individually and in his Official
Capacity; ULESS WALLACE,
Individually and in his Official
Capacity; HERMAN HALL,
Individually and in his Official
Capacity**

DEFENDANTS

AGREED MODIFIED PROTECTIVE ORDER

Covington has requested complete copies of the Phillips County District Court Docket Sheets showing the first-appearance dates, birthdates, and social security numbers for potential members of the Covington class. The parties agree that this information is sensitive. Defendants agree to produce the Docket Sheets to Plaintiffs' counsel and Class Action Administration, Inc., (CAA) subject to the following conditions.

1. Plaintiffs' counsel shall use the Docket Sheets only for purposes of this litigation.

2. With the exception of future litigation brought by Gary Covington, no party may use the Docket Sheets in another administrative or civil proceeding or action without a new request

3. While this litigation is ongoing, the parties' counsel—including counsels' paralegals, secretarial staff, and other staff members—and CAA shall maintain the confidential records.

4. The parties must follow Fed. R. Civ. P. 5.2. If redaction is impracticable, then the party filing a Docket Sheet must mark it "confidential" and file it under seal.

5. Counsel and their staff shall not communicate the contents of the Docket Sheets with anyone other than CAA.

6. The parties shall destroy the Docket Sheets produced no later than three years after this litigation has ended.

7. Any party may move to amend this Order for good cause. The parties agree that Docket Sheets covered by the Arkansas Freedom of Information Act are not confidential.

So Ordered.

DP Marshall Jr.

D.P. Marshall Jr.
United States District Judge

21 April 2015

Approved as to form:

/s/ Sara Teague

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