

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

LAROSHA D. STRINGFELLOW, on behalf of
herself and others similarly situated

PLAINTIFF

v.

NO. 3:08CV00208 JLH

EAST ARKANSAS AREA AGENCY ON AGING,
INC., an Arkansas corporation

DEFENDANT

PROTECTIVE ORDER

Now on this 14th day of July, 2009, comes on to be considered the motion for Protective Order, and the Court, being well and sufficiently advised in the premises, does, from the statements of counsel and their signatures hereon, find and order as follows, to-wit:

Defendant's motion is GRANTED. The parties shall conduct discovery subject to the following provisions:

(1) Confidential Documents, as later defined herein, and obtained by plaintiff from East Arkansas Area Agency on Aging, Inc. during discovery in this action, shall be used only for the purpose of this litigation and for no other purpose whatsoever, and shall not be given, shown, made available or distributed in any way to anyone except Qualified Persons, as herein defined. This shall not apply to documents, otherwise designated as "confidential," but obtained from sources other than East Arkansas Area Agency on Aging, Inc.

(2) For purposes of this Motion only, confidential shall be deemed to include all documents produced by East Arkansas Area Agency on Aging, Inc. and not by any other party or source, whether said documents are East Arkansas Area Agency on Aging, Inc.'s documents or otherwise.

(3) Except with the prior written consent of East Arkansas Area Agency on Aging, Inc., or pursuant to further order of this Court, on motion with notice to East Arkansas Area Agency on Aging, Inc., no Confidential Documents may be disclosed to any person other than “Qualified Persons,” who shall be defined to include:

(a) All counsel of record in this action, and secretaries, paraprofessional assistants and other employees of such counsel who are actively engaged in assisting counsel in connection with this action;

(b) Outside experts and/or consultants retained by any counsel to testify or assist in the preparation of this case.

(c) Witnesses, either by deposition, interview or trial testimony, who may be shown such materials as are subject hereto, and questioned about the same.

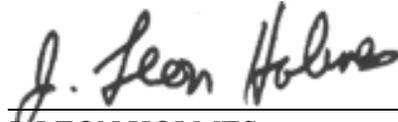
(4) This Motion, insofar as it seeks to restrict the distribution, in any way, and use of Confidential Documents, shall continue to be binding through and after the conclusion of this litigation. At the conclusion of this action, including all appeals:

(a) Counsel for plaintiff shall take all reasonable steps necessary to reclaim all documents produced by East Arkansas Area Agency on Aging, Inc..

(b) Counsel and all other Qualified Persons are enjoined from distribution of any Confidential Documents obtained during the course of this proceeding and in violation of this Protective Order Pursuant to Stipulation and Agreement.

(5) If a document is marked confidential and the plaintiff believes in good faith that the designation is unnecessary, plaintiff shall have the opportunity to object to the designation of confidential. The parties are directed to work to resolve the dispute prior to requesting the Court to intervene. If the dispute cannot be resolved, the parties may raise the matter with the Court.

IT IS SO ORDERED this 14th day of July, 2009.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

MORGAN & MORGAN, P.A.

 /s/ Jennifer M. Bermel
Jennifer M. Bermel
Attorney for Plaintiff

WOMACK, LANDIS, PHELPS & McNEILL, P.A.

 /s/ Mark Mayfield
Mark Mayfield
Attorney for Defendant