

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

**ETHEL JACOBS**

**PLAINTIFF**

**VS.**

**NO. 3:16-CV-119**

**CINDY GILLESPIE, in her official capacity  
as Director, Arkansas Department of  
Human Services**

**DEFENDANT**

**AGREED PROTECTIVE ORDER**

**THIS MATTER** came on upon the stipulation of the parties that a Protective Order be entered pursuant to Federal Rule of Civil Procedure 26, governing the disclosure and use of certain information to be provided by Defendant to Plaintiff during the discovery process. Disclosure and discovery activity may involve production of certain confidential information or private information for which special protection from public disclosure and from use for any purpose other than in this litigation is warranted. Accordingly, the parties hereby stipulate to this protective order as follows:

1. That all Plans of Care and all Assessment Summary Reports, including redacted and deidentified Plans of Care and redacted and deidentified Assessment Summary Reports, provided to Plaintiff by Defendant in response to Plaintiff's discovery requests, including Plaintiff's Requests for the Production of Documents Nos. 12 through 21, *except* those of Plaintiff, Ethel Jacobs, be used only for purposes of this litigation and any appeals therefrom, if any, and not for any other purposes and not otherwise be disclosed or redisclosed to any person or entity other than: (1) the parties to the litigation; (2) the Court and Court staff; (3) expert witnesses in this litigation

- (4) court reporters; and (5) and counsel of record and their staff, including outside counsel, if any. The covered documents may be redisclosed to representatives of Defendant, including DHS counsel, officials, witnesses and representatives.
2. These Plans of Care and Assessment Summary Reports, including de-identified Plans of Care and Assessment Summaries and Reports provided to Plaintiff by Defendant, may possibly contain confidential informational or private information even after deidentification.
  3. All Plans of Care and Assessment Summary Reports will be stored and maintained by Plaintiff, through counsel, at a location and in a secure manner that ensures that access is limited to those allowed under this Order until either destroyed and returned to Defendant's counsel after completion of litigation.
  4. The Court will retain jurisdiction for one year after the end of the case (including appeals) to enforce this order. Thereafter, the parties' obligations will be solely a matter of contract.

**PURSUANT TO THIS STIPULATION, IT IS SO ORDERED.**

Date: 23 September 2016

D.P. Marshall Jr.

D. P. Marshall Jr.  
United States District Judge

**AGREED:**

Date: 9/22/16

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