

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

**THOMAS WILLIAM DUPREE, JR.**

**PLAINTIFF**

**v.**

**CASE NO. 4:08-CV-00327 JMM**

**CITY OF JACKSONVILLE, ARKANSAS;  
SERGEANT C. WELLS; and PATROLMAN  
G. ROZENSKI**

**DEFENDANTS**

**AGREED PROTECTIVE ORDER**

Plaintiff and Defendants have requested discovery of records containing sensitive personal information. In order to permit Plaintiff and Defendants adequate access to the records necessary to completely present this case herein, and, at the same time to address privacy concerns, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Counsel for Defendant has agreed to produce copies of documents pertaining to contact the Jacksonville Police Department has had with Christy Kiesling. (Personal information such as addresses and social security numbers will be redacted) Plaintiff's counsel has authorized the release of Plaintiff's medical records;

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 without a new request for the material. Moreover, neither Plaintiff, Defendants, or their counsel may 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 without a new request;

4. All confidential records, documents, tapes, or other information provided hereunder shall be retained in the custody of the Plaintiff's or Defendants' counsel including their paralegal, secretarial staff, and/or other staff members, during the pendency of this litigation. Plaintiff's and Defendants' counsel may also provide copies of such confidential records, documents or other information to any expert witness[es] retained by the Plaintiff or Defendant or persons frequently employed by such expert[s] whose review of the material is necessary for the Plaintiff's and Defendants' prosecution in this litigation;

5. If confidential documents or records are used during depositions, the depositions shall be treated as confidential in accordance with this Order;

6. Any document, information or deposition designated as confidential under this Order shall, when filed with the Court, be clearly marked confidential sealed, placed in separate, secure storage by the Clerk, and opened only by authorized Court personnel;

7. Plaintiff, Defendants, their respective counsel and their staff and the retained expert witness/witnesses shall not in any manner, directly transfer confidential records, documents or other information provided hereunder or copies thereof, or communicate, orally or in writing, any of the data contained in said material to any person;

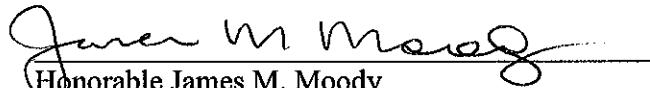
8. Plaintiff's counsel, and Defendants' counsel promptly upon completion of this litigation, or before if at such time they have no further use of the confidential information, whichever shall first occur, shall return to the Defendant and Plaintiff all materials produced, and all copies and extracts of data from such materials;

9. 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;


10. The provisions of this Order shall not affect the admissibility of evidence at trial or any preliminary evidentiary proceeding in open court, except as directed by separate Order of this Court; and

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


IT IS SO ORDERED THIS 15 DAY OF Dec, 2008.

  
Honorable James M. Moody  
United States District Court

Approved:

By:   
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And

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