

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE
500 W. CAPITOL, ROOM D444
LITTLE ROCK, ARKANSAS 72201-3325
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February 13, 2009

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Re: *Sharon Chism, et al. v. Ethicon Endo-Surgery Inc., et al.* -- 4:08-CV-00341-WRW

Dear Counsel:

I have received the Protective Order agreed upon by the parties. There is a superb article by the Honorable Joseph Anderson, Chief Judge of the South Carolina District Court called *Hidden from the Public by Order of the Court: The Case Against Government Enforced Secrecy*, 55 S.C. L. Rev. 711 (2005). Please read this article.

I agree with Judge Anderson. I am a might chary of confidentiality agreements like the one submitted in this case. Broad powers given to lawyers to designate information as confidential are not favored.

The judges of South Carolina have come up with local rules limiting confidentiality agreements. This includes a form "confidentiality" order. I encourage you to use this form order to draft a new Protective Order.

A copy of this form order will be e-mailed to the attorneys listed above. If the emails are not received, contact the law clerk assigned to this case, Ms. Gilbert, at (501) 604-5142.

Cordially,

/s/ Wm. R. Wilson, Jr.

Original to the Clerk of the Court
cc Other Counsel of Record