

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

**CORY NIXON, RICKY EARLS,
MICHAEL HEARING, PAUL BAGGETT,
CHARLES W. BISBEE, JAMES CONLEY,
RUSS EVANS, ROBERT GRACIE,
COY MOORE, DAVID OUTLAW,
TERRY WINNINGHAM, and CARL OTWELL,
DANIEL CONVERSE, GORDON O. FRANKLIN,
RANDALL E. DOLLAR, GEORGE L. BABB,
WILEY G. OSBORN, BRADORD E. FREEMAN,
WILLIAM A. WOLVERTON, CHARLES D. PISTOLE,
WILLIAM NORTHERN, LARRY R. JOHNS,
RONNIE E. SMITH, CLIFFORD P. LITTRELL,
LENNY WALLACE, DANIEL TRAMMELL and
NORMAN R. WATSON, each individually and on
Behalf of others similarly situated**

PLAINTIFFS

v. Case No. 4:11-cv-0578 KGB

**COSTNER EXCAVATING, INC.
d/b/a COSTNER GAS AND OIL FIELD SERVICES,
COSTNER DRILLING & BLASTING, LLC,
COSTNER MACHINERY & EQUIPMENT, LLC,
COSTNER TRUCKING, INC., COSTNER HOLDING, LLC,
and RHETT COSTNER, Individually and as Owner/Manager
of Costner Excavating, Inc., Costner Drilling & Blasting, LLC,
Costner Machinery & Equipment, LLC, Costner Trucking, Inc.
and Costner Holding, LLC**

DEFENDANTS

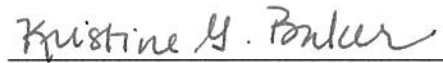
PROTECTIVE ORDER

Before the Court is defendants' motion for protective order for financial statements (Dkt. No. 108). Defendants have agreed to make company financial statements and personal financial statements available to plaintiffs' counsel only. These statements contain confidential information, the release of which to plaintiffs or any other person would constitute an unwarranted invasion of privacy.

IT IS THEREFORE ORDERED that company financial statements and personal financial statements produced pursuant to this Order are confidential and may only be viewed, directly or indirectly, by counsel for plaintiffs.

IT IS FURTHER ORDERED that one year after the conclusion of this litigation, including any appeals, all copied documents furnished to plaintiffs designated as confidential herein shall be destroyed or, if defendants so request 60 days before the time to destroy the documents, plaintiffs will return the documents to defendants, and plaintiffs, their counsel, and their representatives are instructed not to retain any copies.

IT IS SO ORDERED this 10 day of December, 2012



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE