

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

SHANTWAN VICKERS

PLAINTIFF

v.

No. 4:12-cv-429-DPM

U.P. EMPLOYEES FEDERAL CREDIT UNION

DEFENDANT

ORDER

The parties have proposed an agreed protective order, which the Court adopts with minor changes.

1. Confidential information, as defined by this Order, shall be used only for the purpose of this litigation and no other purpose, and shall not be given, shown, made available, or communicated in any way to anyone except qualified persons, as defined by this Order.
2. Confidential information includes, but is not limited to:
 - (a) Documents containing confidential personal information such as social security numbers, contact information, medical information, dates of birth, information requested by a party, and other information that may be deemed by this Court to be relevant or material.

(b) Any information of the type set forth in 2(a) as may be, from time to time, produced by a party and declared by the party to be "confidential information" and subject to this Order. Materials that are designated as confidential and do not fall into one of the categories named in Section 2(a), should be stamped confidential, or if Bates numbers are used, may be designated as confidential by Bates number in a letter. A party may oppose a confidentiality designation in writing within ten days of the designation, at which time the parties shall engage in a good faith effort to resolve the issue, and may move to remove the confidentiality designation if that fails.

3. Except with the prior written consent of the defendant, or pursuant to further Order of this Court on motion with notice to the Defendant, no confidential information may be disclosed to any person other than "qualified persons," defined to include the plaintiff, any future counsel for the plaintiff, secretaries, para-professional assistants, experts, other employees of counsel who would be assisting counsel with this action, court personnel, witnesses at trial or deposition, and the jury.

4. Upon delivery of confidential information to the plaintiff's counsel, the defendant or his counsel shall execute and submit to the plaintiff's counsel a document entitled "inventory of confidential documents delivered" as demonstrated in Exhibit 1. Documents containing confidential information shall be stamped or otherwise marked as confidential.

5. This Order is binding through and after the conclusion of this litigation. Three years after the conclusion of this action, including all appeals:

(a) Plaintiff and his counsel shall destroy all confidential information, including correspondence, memoranda, notes or any other documents embodying such information, in whole or in part.

(b) Counsel and all qualified persons are enjoined from disclosing in any manner any confidential information obtained during the course of this proceeding. Severe sanctions will attach to any person who discloses information in violation of this provision.

6. Nothing in this Order shall prevent any party from seeking modification of this Order at any time as to specific matters designated

confidential information to remove those matters from the application of this Order.

7. Documents that are entirely confidential and must be filed with the Court shall be filed under seal. Documents containing confidential information may be filed in a redacted form so that those portions of the document containing confidential information will not be visible to the public. Only the Court, Court personnel, and counsel for the parties shall have access to the sealed record in this proceeding until further Order of this Court.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

17 December 2012

EXHIBIT 1

INVENTORY OF CONFIDENTIAL DOCUMENTS PROVIDED

I hereby submit the following documents, document pages, and/or depositions which are subject to the Protective Order for the protection of documents in Shantwan Vickers v. U.P. Employees Federal Credit Union, filed in The United States District Court for the Eastern District of Arkansas, Western Division, Case No. 4:12-CV-00429-DPM.

List all documents, pages, and depositions submitted below:

DATED: _____ **SIGNATURE:** _____