

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

VINCENT EASTWOOD, On Behalf Of Himself
& All Others Similarly Situated

PLAINTIFF

VS.

CASE NO. 11-3075

SOUTHERN FARM BUREAU CASUALTY
INSURANCE COMPANY

DEFENDANT

AGREED PROTECTIVE ORDER

A third party subject to a subpoena in this case, The Progressive Group of Insurance Companies ("Progressive"), who is represented by the Deacon Law Firm, PA, has requested a Protective Order concerning records responsive to a Subpoena issued by Southern Farm Bureau Casualty Insurance Company ("Farm Bureau"). From consideration thereof, and other matters of record herein, the Court finds as follows:

1. Pursuant to the Court's authority under Fed. R. Civ. P. 26(c), a protective order should be issued with regard to the production by Progressive of documents and information turned over pursuant to a Subpoena Duces Tecum. Said Documents and information include Claim Notes pertaining to communications between Progressive and the plaintiff Mr. Eastwood and are Bates stamped PROG0001 through 0018.

2. The documents outlined above and produced by Progressive shall not be disclosed by Farm Bureau, the Eastwoods, or their counsel, to any person other than counsel for the parties and their employees and agents actively engaged in the conduct of this litigation, any witnesses in this case that will be deposed or testify at trial, and any experts retained for the purpose of assisting counsel in trial preparation, all of whom shall be advised of this Order prior to disclosure.

3. Any pleading or exhibit filed with the Court containing the documents and information referenced herein, will be filed under seal.

4. The obligations and protections imposed by this Order shall continue beyond the conclusion of this action, including any appeals, or until the Court orders otherwise. Within sixty (60) days after receipt of a request from the Designating Party, made after this action has concluded and the time for possible appeal has been resolved, Confidential Information (other than exhibits at the official court of record) shall be returned to the appropriate Designating Party or shall be destroyed by the receiving party. Counsel for any party or third party receiving Confidential Information in this action shall make written certification of compliance with this provision and shall deliver the same to counsel for each Designating Party within 180 days after such request.

IT IS SO ORDERED this 5th day of November, 2012.



United States District Court Judge

APPROVED AS TO FORM:

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