

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRING DIVISION

BUDDY RYNDERS

PLAINTIFF

vs.

CASE NO 09-6088

LARRY WILLIAMS, In His Official and  
Individual Capacity as Judge of  
Garland County, Arkansas

DEFENDANT

**PROTECTIVE ORDER PURSUANT TO STIPULATION AND AGREEMENT**

On this, the 13<sup>th</sup> day of November, 2009, the Court reviewed the stipulation and agreement for a Protective Order, and makes the following Orders:

1. Confidential Information, as later defined herein, and obtained by the plaintiff from the Defendant in this action, shall be used only for the purpose of this litigation and for no other purpose whatsoever, and shall not be given, shown, made available or communicated in any way to anyone except Qualified Persons, as herein defined.

2. Confidential Information shall be deemed to include, without limitation:

(a) Documents or files that would not be subject to disclosure under the freedom of information act at all, or without redaction of confidential information.

(b) Any information concerning such as set forth in 2(a) herein above as maybe, from time to time, produced by a party and declared at the time of production to be "Confidential Information" and subject to this Order, such designation to be in writing and stamped or otherwise printed on each page declared to be confidential.

3. Except with the prior written consent of the producing party, or pursuant to further Order of this Court on motion with notice to the producing party, no Confidential Information may be disclosed to any person other than "Qualified Persons" who shall be defined to include the a party to the lawsuit, any future counsel of record for the parties in this action, and secretaries, para-professional assistants, experts and other employees of such counsel who would be

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actively engaged in assisting counsel in connection with this action, court personnel, witnesses at trial or deposition, and the jury.

4. Upon delivery of Confidential Information to the requesting party herein, the producing party shall execute and submit to the requesting party a document entitled "Inventory of Confidential Documents Delivered" in the form affixed hereto as Exhibit 1.

5. This Order, insofar as it restricts the communication in any way and use of Confidential Information, shall continue to be binding through and after the conclusion of this litigation. Three years following the conclusion of this action, including all appeals:

(a) The receiving party 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 such 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 such from the application of this Order.

7. Such Confidential Information as may be required to be filed with the Court and with the Clerk of this Court shall be either filed under seal or redacted such that confidentiality is preserved. For instance a personnel document which only contains confidential information such as birth date, social security number, or salary information could be redacted to exclude that information, and then used. Or, if the identity of the individual needed to be protected, the document could be redacted to exclude the name of the individual. 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.

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IT IS HEREBY ORDERED.



United States District Judge

APPROVED AS TO FORM:



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U. S. DISTRICT COURT  
 WESTERN DISTRICT ARKANSAS  
 FILED  
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