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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CESAR OCTAVIO OTERO, <i>et al.</i> ,)	CASE NO. CV 05-04248 CW
Plaintiffs,		<i>Assigned to Honorable Carla Woehrle</i>
vs.)	ORDER RE STIPULATION AND
		PROTECTIVE ORDER RE
CITY OF LOS ANGELES, <i>et al.</i> ,		DOCUMENTS AND OTHER ITEMS
Defendants.)	PRODUCED BY DEFENDANTS
<hr/>		NOTE CHANGE MADE BY COURT

The Court has reviewed and now confirms the concurrently filed Stipulation and [Proposed] Protective Order Re Documents and Other Items Produced by Defendants.

IT IS HEREBY ORDERED

1. Pursuant to *Miller v. Pancucci*, 141 F.R.D. 292 (C.D. Cal. 1992), Defendants City of Los Angeles, Officer Eric Young, Officer Jeffrey Bright, Officer Michael Nagel, Officer Michael Levant, Officer Joseph Yamzon, Officer Hannu Tarjamo, and Officer Earl Williams (collectively, “Defendants”) have requested that this Court enter a protective order governing the use of documents and information to Plaintiffs Cesar Octavio Otero, Diana Rayos, Fernando Quintana, Fernando Quintana, Jr. And Judy Quintana (“Plaintiffs”) and their counsel. Defendants believe that the documents and information to be disclosed by Defendants are privileged and confidential and their use should be strictly limited. This Stipulation is entered to address Defendants’ concerns.

1 2. All originals and copies of interrogatory responses obtained from Defendants
2 pursuant to this mutually agreed Stipulation and Protective Order; all originals and copies
3 of documents responsive to Plaintiffs' Request for Production of Documents that were
4 obtained from Defendants pursuant to this mutually agreed Stipulation and Protective Order;
5 and all originals and copies of transcripts, video recordings, and audio recordings of any
6 deposition taken in this matter during which any of the foregoing interrogatory responses or
7 documents responsive to Plaintiffs' Request for Production of Documents are used,
8 mentioned, reviewed, discussed, or referred to (hereinafter collectively "the Protected
9 Documents"), shall be subject to this Protective Order as follows. **"Protected Documents"**
10 **as described herein shall be limited to law enforcement personnel or internal**
11 **investigative records and other such confidential material provided in Defendants'**
12 **discovery responses.**

13 3. All of the Protected Documents shall be stamped "CONFIDENTIAL-SUBJECT
14 TO PROTECTIVE ORDER" and shall be sealed pursuant to this Order.

15 4. Each person and/or entity receiving any of the Protected Documents shall not
16 disclose to any person or entity, in any manner, including orally, any of the Protected
17 Documents or any of the information contained therein. Any such disclosure shall be
18 construed as a violation of this Order, except when used for purposes of this litigation as
19 described in Paragraph No. 13 of this Order and it is done so under seal.

20 5. The Protected Documents and all information contained therein, may only be
21 disclosed to the following "qualified" persons:

22 (a) Counsel of record for the parties to this civil litigation;

23 (b) Plaintiffs and Defendants City of Los Angeles, Officer Eric Young, Officer
24 Jeffrey Bright, Officer Michael Nagel, Officer Michael Levant, Officer Joseph Yamzon,
25 Officer Hannu Tarjamo, and Officer Earl Williams;

26 (c) Paralegal, stenographic, clerical and secretarial personnel regularly employed
27 by counsel referred to in subparagraph (a); and

28 (d) Court personnel, including stenographic reporters engaged in such proceedings

1 as are necessarily incidental to preparation for the trial of this action.

2 6. Prior to receiving or reviewing any of the Protected Documents, each
3 “qualified” person listed in Paragraph No. 5 of this Order shall be provided with a copy of
4 this Order and shall execute and date a non-disclosure agreement in the form of Attachment
5 “A”, a copy of which be provided forthwith to counsel for all parties.

6 7. Except for the use of the Protected Documents during the trial in this matter, if
7 any of the Protected Documents, or any portion thereof, are to be used in this proceeding,
8 they shall be filed with the Court under seal.

9 8. A copy of this Order shall be attached as an exhibit to the Protected Documents.

10 9. The court reporter, videographer, and audiographer, if any, who record all or
11 part of the depositions in this matter of Defendants Officer Eric Young, Officer Jeffrey
12 Bright, Officer Michael Nagel, Officer Michael Levant, Officer Joseph Yamzon, Officer
13 Hannu Tarjamo, and Officer Earl Williams, or any other current or former employee of the
14 Los Angeles Police Department shall be subject to this Order and precluded from providing
15 the original deposition videotape, audiotape, or portions thereof, any copies thereof, or
16 portions of copies thereof, to any persons other than counsel of record.

17 10. Those attending the depositions of Defendants Officer Eric Young, Officer
18 Jeffrey Bright, Officer Michael Nagel, Officer Michael Levant, Officer Joseph Yamzon,
19 Officer Hannu Tarjamo, and Officer Earl Williams, or any other current or former employee
20 of the Los Angeles Police Department shall be bound by this Order and, therefore, shall not
21 disclose to any person or entity, in any manner, including orally, any statements made by
22 Defendants Officer Eric Young, Officer Jeffrey Bright, Officer Michael Nagel, Officer
23 Michael Levant, Officer Joseph Yamzon, Officer Hannu Tarjamo, and Officer Earl William,
24 or any other current or former employee of the Los Angeles Police Department during the
25 course of said depositions.

26 11. Each person attending the depositions of Defendants Officer Eric Young,
27 Officer Jeffrey Bright, Officer Michael Nagel, Officer Michael Levant, Officer Joseph
28 Yamzon, Officer Hannu Tarjamo, and Officer Earl Williams, or any other current or former

1 employee of the Los Angeles Police Department and each person receiving or reviewing any
2 of the Protected Documents must consent to the jurisdiction of the United States District
3 Court for the Central District of California with respect to any proceeding relating to
4 enforcement of this Order, including, without limitation, any proceeding for contempt and/or
5 monetary sanctions as provided in Paragraph No. 15 of this Order. Unless made on the
6 record in this litigation, counsel making the disclosure to any person described above shall
7 retain the original executed copy of said agreement until thirty (30) days after this litigation
8 has become final, including any appellate review.

9 12. The Protected Documents shall be used solely in connection with the
10 preparation and trial of the within case (Case No. CV05-4248 CW), and any related appellate
11 proceedings, and not for any other purpose, including, without limitation, any other
12 litigation or administrative proceedings or any investigation related thereto. This does not
13 preclude Plaintiffs' Counsel Thomas E. Beck from mentioning the existence of the Protected
14 Documents to a judge in any current or future litigation involving Defendants City of Los
15 Angeles, Officer Eric Young, Officer Jeffrey Bright, Officer Michael Nagel, Officer Michael
16 Levant, Officer Joseph Yamzon, Officer Hannu Tarjamo, and Officer Earl Williams, so long
17 as the Protected Documents themselves and the privileged and private information contained
18 therein are not used for any other purpose other than the preparation and trial of the within
19 case.

20 13. This Order is made for the purpose of ensuring that the Protected Documents
21 and the information contained therein will remain confidential.

22 14. No more than thirty (30) calendar days after the judgment in this matter
23 becomes final, Plaintiffs' counsel, and every other person and/or entity who received
24 originals or copies of the Protected Documents shall return all originals and copies of the
25 Protected Documents to Defendant City of Los Angeles, care of Deputy City Attorney
26 Richard M. Arias, City Hall East, 200 North Main Street, 6th Floor, Los Angeles, California
27 90012.

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