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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JOHN BELTZ,

Plaintiff,

v.

WAL-MART STORES, INC.; JOHN
LORANGER; and DOES 1 through 10,
inclusive,

Defendants.

Case No. 2:10-CV-600-JFW (RZx)

DISCOVERY MATTER

**[PROPOSED] PROTECTIVE
ORDER PURSUANT TO
STIPULATION**

Judge: Hon. Ralph Zarefsky
Crtrm: 540

LASC Complaint filed: Nov. 9, 2009

**NOTE: CHANGES HAVE BEEN
MADE TO THIS DOCUMENT
PURSUANT TO THE STIPULATION OF THE PARTIES,** the Court

enters the following Protective Order pursuant to Federal Rule of Civil
Procedure 26:

1. The Protective Order shall be entered pursuant to the Federal Rules of
Civil Procedure.

2. The Protective Order shall govern all materials deemed to be
“Confidential Information.” Such Confidential Information shall include the
following:

(a) Any and all documents referring or related to confidential and
proprietary human resources or business information; financial records of the

1 Parties; compensation of Defendant's current or former personnel; policies,
2 procedures and/or training materials of Defendant; and/or Defendant's
3 organizational structure;

4 (b) Any documents from the personnel, medical or workers'
5 compensation file of any current or former employee or contractor,
6 specifically including documents from Plaintiff's personnel, medical, and/or
7 workers' compensation files;

8 (c) Any documents relating to the medical and/or health
9 information of any of Defendant's current or former employees or
10 contractors, specifically including documents relating to the medical and/or
11 health information of Plaintiff;

12 (d) Any portions of depositions (audio or video) where Confidential
13 Information, as defined above, is disclosed or used as exhibits.

14 3. In the case of documents and the information contained therein,
15 designation of Confidential Information produced shall be made by placing the
16 following legend on the face of the document and each page so designated
17 "CONFIDENTIAL" or otherwise expressly identified as confidential. The Parties
18 will use their best efforts to limit the number of documents designated Confidential.

19 4. Confidential Information shall be held in confidence by each qualified
20 recipient to whom it is disclosed, shall be used only for purposes of this action,
21 shall not be used for any business purpose, and shall not be disclosed to any person
22 who is not a qualified recipient. All produced Confidential Information shall be
23 carefully maintained so as to preclude access by persons who are not qualified
24 recipients.

25 5. Qualified recipients shall include only the following:

26 (a) In-house counsel and law firms for each party and the
27 secretarial, clerical and paralegal staff of each;

28 (b) Deposition notaries and staff;

1 (c) Persons other than legal counsel who have been retained or
2 specially employed by a party as an expert witness for purposes of this
3 lawsuit or to perform investigative work or fact research;

4 (d) Deponents during the course of their depositions or potential
5 witnesses of this case; and

6 (e) The Parties to this litigation, their officers and professional
7 employees.

8 6. Each counsel shall be responsible for providing notice of the
9 Protective Order and the terms therein to persons to whom they disclose
10 “Confidential Information,” as defined by the terms of the Protective Order.

11 Persons to whom confidential information is shown shall be informed of the
12 terms of this Order and advised that its breach may be punished or sanctioned as
13 contempt of the Court. Such deponents may be shown Confidential materials
14 during their deposition but shall not be permitted to keep copies of said
15 Confidential materials nor any portion of the deposition transcript reflecting the
16 Confidential Information.

17 If either Party objects to the claims that information should be deemed
18 Confidential, that Party’s counsel shall inform opposing counsel in writing within
19 thirty (30) days of receipt of the Confidential materials that the information should
20 not be so deemed, and the parties shall attempt first to dispose of such disputes in
21 good faith and on an informal basis. If the Parties are unable to resolve their
22 dispute, they may present a motion to the Court objecting to such status. The
23 information shall continue to have Confidential status during the pendency of any
24 such motion.

25 7. No copies of Confidential Information shall be made except by or on
26 behalf of attorneys of record, in-house counsel or the parties in this action. Any
27 person making copies of such information shall maintain all copies within their
28 possession or the possession of those entitled to access to such information under

1 the Protective Order.

2 8. All information produced in this action, whether deemed Confidential
3 or not, shall be used only for purposes of this litigation and not for any other
4 purpose.

5 9. The termination of this action shall not relieve the Parties and persons
6 obligated hereunder from their responsibility to maintain the confidentiality of
7 information designated confidential pursuant to this Order.

8 10. Upon termination of this action by entry of a final judgment (inclusive
9 of any appeals or petitions for review), the Parties may request the return of all
10 previously furnished Confidential Information, including any copies thereof, and
11 each person or Party to whom such Confidential Information has been furnished or
12 produced shall be obligated to return it within thirty (30) days of said request.


13 11. Nothing in this Order shall be construed as an admission as to the
14 relevance, authenticity, foundation or admissibility of any document, material,
15 transcript, or other information.

16 12. Nothing in the Protective Order shall be deemed to preclude any Party
17 from seeking and obtaining, on an appropriate showing, a modification of this
18 Order.

19 This order is limited to pretrial matters not involving
20 dispositive motions. If either party desires protection in
21 connection with dispositive motions, or at trial, then the
22 party desiring protection must file a separate application
addressed to the judicial officer who will preside over the
proceeding.

23 **Otherwise, PURSUANT TO STIPULATION, IT IS SO ORDERED**

24 Dated: March 15, 2010

25 By: 
26 _____
27 Honorable Ralph Zarefsky
28 United States Magistrate Judge