

FILED
 CLERK, U.S. DISTRICT COURT
 SEP - 6 2011
 CENTRAL DISTRICT OF CALIFORNIA
 BY *MAK* DEPUTY

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 7 FAULK, NICK GARCIA, LONDON PHILLIPS, and RAUL SALDANA

8
 9 **UNITED STATES DISTRICT COURT**
 10 **CENTRAL DISTRICT OF CALIFORNIA**

11 BRIAN SEIDENSTICKER,

CASE NO. CV10-6574 GAF(FMOx)

12 Plaintiff,

Honorable Gary A Fees

13
 14 vs.

STIPULATION FOR PROTECTIVE ORDER

15 CITY OF HERMOSA BEACH, CHIEF
 16 GREGORY SAVELLI, individually
 and as a peace officer, EVERETT
 17 FAULK, individually and as a peace
 officer, NICK GARCIA, individually
 18 and as a peace officer, LONDON
 PHILLIPS, individually and as a peace
 19 officer, RAUL SALDANA,
 individually and as a peace officer,
 20 DOES 1-10, inclusive,

[DISCOVERY MATTER FOR DETERMINATION BY MAGISTRATE JUDGE OLGUIN]

NOTE CHANGES MADE BY THE COURT

21 Defendant.
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STIPULATION FOR PROTECTIVE ORDER

1 confidential, and to label such portions appropriately.

2
3 4. Material designated as confidential under this Order, the information
4 contained therein, and any summaries, copies, abstracts, or other documents derived
5 in whole or in part from material designated as confidential shall be used only for
6 the purpose of the prosecution, defense or settlement of this action, and for no other
7 purpose.
8

9 5. Confidential material may not be disclosed, except as provided in
10 paragraphs 6 and 7.
11

12 6. Confidential material may be disclosed only to the following persons:

13 (a) Counsel for any party and any party to this litigation;

14 (b) Paralegal, stenographic, clerical and secretarial personnel
15 regularly employed by counsel referred to in (a).
16

17 (c) Court personnel, including stenographic reporters engaged in
18 such proceedings as are necessarily incidental to preparation for
19 the trial of this action;
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21 (d) Any outside expert or consultant retained in connection with this
22 action, and not otherwise employed by either party; and
23

24 (e) Any "in-house" expert designated by either party to testify at
25 trial in this matter.
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27 Nothing in paragraph 6 is intended to prevent officials or employees of the
28 City of Hermosa Beach or other authorized governmental officials from having

1 access to the documents if they would have had access in the normal course of their
2 job duties. Further, nothing in this order prevents a witness from disclosing events
3 or activities personal to him or her, that is, a witness can disclose to others
4 information previously given to the City of Hermosa Beach with respect to what he
5 or she saw, heard or otherwise sensed.
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8 7. Each person to whom disclosure of "Confidential" documents is made,
9 with the exception of counsel and those made in Paragraph 6, who are presumed to
10 know the contents of this protective order, shall, prior to the time of disclosure, be
11 provided by the person furnishing him/her such material a copy of this order, and
12 shall agree on the record or in writing that he/she has read the protective order, and
13 that he/she understands the provisions of the protective order. Such person also
14 must consent to be subject to the jurisdiction of the United States District Court
15 Central District of California and/or Superior Court of the State of California with
16 respect to any proceeding relating to enforcement of this order, including without
17 limitation, any proceeding for contempt. Unless made on the record in this
18 litigation, counsel making the disclosure to any person described above shall retain
19 the original executed copy of said agreement until final termination of this litigation.
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22 8. If Confidential Material, including any portion of a deposition
23 transcript, is included in any papers to be filed with the Court, such papers shall be
24 accompanied by an application which comports with Local Rule 79-5.1 and seeks to
25
26 (a) file the confidential portions thereof under seal (if such portions are segregable),
27
28

1 or (b) file the papers in their entirety under seal (if the confidential portions are not
2 segregable). The Application shall be directed to the judge to whom the papers are
3 directed. Pending the ruling on the application, the papers or portions thereof
4 subject to the sealing application shall be lodged under seal in accordance with
5 Local Rule 79-5.1.
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8 9. At the conclusion of the trial and of any appeal or upon
9 termination of this litigation, all confidential material received under the provisions
10 of this order (including any copies made and/or any computer materials made or
11 stored) shall be tendered back to the City of Hermosa Beach within 30 days.
12 Provisions of this order in so far as they restrict the disclosure and use of the
13 material shall be in effect until ^{the commencement of trial.} ~~further order of this Court.~~
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16 10. The foregoing is without prejudice to the right of any party:
17 (a) To apply to the court for a further protective order relating to
18 confidential material or relating to discovery in this litigation;
19 (b) To apply to the court for an order removing the confidential
20 material designation from any documents; and
21 (c) To apply to the court for an order compelling production of
22 documents or modification of this order or for any order
23 permitting disclosure of confidential material beyond the terms
24 of this order.
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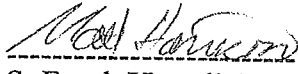
28 11. GOOD CAUSE exists for designating these materials as confidential

1 in order for the City of Hermosa Beach officials to comply with the principles
2 expressed in Attorney General Opinion Number 99-503, 82 Op. Atty Gen. Cal. 246,
3
4 as well as to protect the privacy rights of the peace officers in their personnel files
5 and the privacy rights of third parties not subject to this litigation.

6 **IT IS SO STIPULATED.**

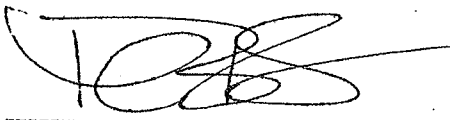
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8 Dated: ~~August~~ ^{September} 1, 2011

LYNBERG & WATKINS
A Professional Corporation

9
10
11 By: 
12 S. Frank Harrell, Esq.
13 Matthew Harrison, Esq.
14 Attorneys for Defendants

15 Dated: August 31, 2011

THE BECK LAW FIRM

16
17 
18 By: _____
19 Thomas E. Beck, Esq.
20 Attorney for Plaintiff

21 ~~Subscribed and sworn to before me~~
22 ~~on this _____ day of _____.~~

23
24 _____
25 **Fernando M. Olguin**
26 **U.S. Magistrate Judge**

IT IS SO ORDERED.

27 DATED: 9/6/11


28 **UNITED STATES MAGISTRATE JUDGE**