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5 Attorneys for Defendants **CITY OF LOS ANGELES, LOS ANGELES POLICE**
6 **DEPARTMENT, LOS ANGELES CITY ATTORNEY’S OFFICE, CARMEN**
TRUTANICH, CHARLES BECK, ALLAN NADIR AND ANGEL GOMEZ

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

10
11 CHRISTIAN RODRIGUEZ, ALBERTO)
CAZAREZ, individually and as class)
12 representatives)

13 *Plaintiff,*

14 vs.

15 CITY OF LOS ANGELES, CARMEN)
TRUTANICH, CHARLES BECK, ALLAN)
16 NADIR, ANGEL GOMEZ AND DOES 1)
THROUGH 10.)

17 *Defendants.*

CASE NO. CV11-01135 DMG(JEMx)
Assigned to Honorable Dolly M. Gee

[PROPOSED] PROTECTIVE ORDER

DISCOVERY MATTER

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20 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

21 After reviewing the parties’ joint Stipulation for Protective Order re: Disclosure of
22 Confidential Materials, and finding good cause therefore, the Court hereby orders:

- 23 1. The parties may designate as confidential records of service of injunctions,
24 including attachments and addenda thereto, all of which Defendants believe might contain
25 information of a privileged, confidential, private or sensitive nature, and the public
26 dissemination of which Defendants believe jeopardize compelling privacy interests, by
27 affixing to such document or writing a legend, such as “Confidential,” “Confidential
28 Documents,” “Confidential Material,” “Subject to Protective Order” or words of similar

1 effect. The category of documents and other tangible things so designated, and all
2 information derived therefrom (hereinafter, collectively, “Confidential Information”), shall
3 be treated in accordance with the terms of this stipulation.

4 2. Confidential Information may be used by the persons receiving such
5 information only for the purpose of this litigation.

6 3. Subject to the further conditions imposed by this stipulation, Confidential
7 Information may be disclosed only to the following persons:

8 (a) Counsel for the parties and to experts, investigators, paralegal
9 assistants, office clerks, secretaries and other such personnel
10 working under their supervision;

11 (b) The Plaintiffs in this action;

12 (c) Such other parties as may be agreed by written stipulation among
13 the parties hereto.

14 4. Prior to the disclosure of any Confidential Information to any person
15 described in paragraph 3(a), 3(b) or 3(c), counsel for the party that has received and seeks
16 to use or disclose such Confidential Information shall first provide any such person with a
17 copy of this stipulation, and shall cause him or her to execute, on a second copy which
18 counsel shall thereafter serve on the other party the following acknowledgment:

19 “I understand that I am being given access to Confidential
20 Information pursuant to the foregoing stipulation and order.
21 I have read the Order and agree to be bound by its terms
22 with respect to the handling, use and disclosure of such
23 Confidential Information.

24 Dated: _____/s/_____”

25 5. Upon the final termination of this litigation, including any appeal
26 pertaining thereto, all Confidential Information and all copies thereof shall be returned to the
27 Defendants, except as to Court personnel. All Confidential Information disclosed to any
28 person or party pursuant to any provision hereof also shall be returned to the Defendants.

1 6. If any party who receives Confidential Information receives a subpoena
2 or other request seeking Confidential Information, he, she or it shall immediately give
3 written notice to the Defendants' counsel, identifying the Confidential Information sought
4 and the time in which production or other disclosure is required, and shall object to the
5 request or subpoena on the grounds of this stipulation so as to afford the Defendants an
6 opportunity to obtain an order barring production or other disclosure, or to otherwise respond
7 to the subpoena or other request for production or disclosure of Confidential Material. Other
8 than objecting on the grounds of this stipulation, no party shall be obligated to seek an order
9 barring production of Confidential Information, which obligation shall be borne by the
10 Defendants. However, in no event should production or disclosure be made without written
11 notice to Defendants' counsel unless required by court order after serving written notice to
12 Defendants' counsel.

13 7. When filing any pleadings, motions, briefs, declarations, stipulations,
14 exhibits or other written submissions to the Court in this litigation, any portions thereof
15 which contain, reflect, incorporate or refer to Confidential Information shall be filed under
16 seal, after written application to the Court made pursuant to Local Rule 79-5. If the Court
17 approves the application to file the documents under seal, the original and judge's copy of
18 the document shall be sealed in separate envelopes with a title page affixed to the outside of
19 each envelope. No sealed or confidential record of the Court maintained by the Clerk shall
20 be disclosed except upon written order of the Court.

21 8. Counsel for the parties shall request that any motions, applications or
22 other pre-trial proceedings which could entail the discussion or disclosure of Confidential
23 Information be heard by the Court outside the presence of the jury, unless having heard from
24 counsel, the Court orders otherwise. Counsel for the parties further shall, during any portion
25 of the trial of this action which could entail the discussion or disclosure of Confidential
26 Information, request that access to the courtroom be limited to parties, their counsel and
27 other designated representative, experts or consultants who agree to be bound by this
28 stipulation, and court personnel, unless having heard from counsel, the Court orders

1 otherwise.

2 9. Nothing herein shall prejudice any party's rights to object to the
3 introduction of any Confidential Information into evidence, on grounds including but not
4 limited to relevance and privilege.

5 10. The Stipulated Protective Order survives settlement, trial and/or appeal.

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7 ***IT IS SO ORDERED:***

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10 DATED: November 10, 2011

/s/John E. McDermott

11 Honorable John E. McDermott
12 UNITED STATES MAGISTRATE JUDGE
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