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15 Counsel and Co-Counsel for Defendants  
 16 Barnes Associates, Inc.; Michael Barnes and  
 17 Mark Gronowski

18 **UNITED STATES DISTRICT COURT**  
 19 **CENTRAL DISTRICT OF CALIFORNIA**

20 JAMES P. DEMARCO, an individual,  
 21 and as Trustee for the DeMarco Family  
 22 2002 Trust,

Plaintiff,

v.

23 BARNES ASSOCIATES, INC., a  
 24 Missouri corporation; MICHAEL  
 25 BARNES, an individual; AND MARK  
 26 GRONOWSKI, an individual,

Defendants.

) Case No.: 2:11-CV-02683-PSG-SS  
 )  
 ) Assigned for all purposes to:  
 ) Hon. Philip S. Gutierrez, Judge  
 ) Dept. 880  
 )  
 ) ~~PROPOSED~~ ORDER RE  
 ) STIPULATION RE COMPLIANCE  
 ) WITH PRIOR PROTECTIVE  
 ) ORDERS  
 )  
 ) Complaint filed: March 30, 2011  
 ) Trial date: None Set

1 This Court, having read and considered the *Stipulation re Compliance with*  
2 *Prior Protective Orders* filed concurrently herewith,

3  
4 IT IS HEREBY ORDERED, as follows:

5  
6 A. Plaintiff and Defendants shall comply with the terms of the Prior  
7 Protective Orders.

8 B. Plaintiffs' and Defendants' use and disclosure of Confidential Information  
9 in this action shall be subject to the Prior Protective Orders; *provided*, that  
10 notwithstanding anything to the contrary contained in any of the Prior Protective  
11 Orders:

12 (1) The parties to this Action and their respective counsel herein shall  
13 have access to the Confidential Information.

14 (2) The parties to this Action may use the Confidential Information  
15 solely for the purpose of conducting this Action.

16 (3) The parties may disclose the Confidential Information to any  
17 witness from whom testimony is taken or proposed to be taken in connection with this  
18 action either before or during such person's testimony; *provided*, that:

19 (a) Defendants shall not allow such witness, other than an expert  
20 witness, to retain any such Confidential Information; and

21 (b) Defendants may allow their expert witnesses, regardless of  
22 whether the identity of any such expert witness has, or has not, been disclosed to  
23 Plaintiffs, to retain the Confidential Information; *provided*, that

24 (1) Such expert witnesses shall use the Confidential  
25 Information solely in this Action; and

26 (2) Defendants shall cause such expert witnesses who  
27 retain any such Confidential Information to agree to be bound by the terms of the order  
28 issued pursuant hereto.

1 C. Within sixty (60) days of the entry of a final judgment in this Action or of  
2 the mutual execution and delivery of a settlement of this Action with a dismissal with  
3 prejudice, each Party to this action, and any expert witness then in possession of any  
4 Confidential Information, regardless of whether the identity of such expert witness has,  
5 or has not, been disclosed to Plaintiffs, shall: (a) return the Confidential Information to  
6 the Party or entity that produced the same; and (b) destroy or delete any Confidential  
7 Information and any computer files and other records in such party's or expert witness'  
8 possession that contain such Confidential Information.

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11 Dated: 05/22, 2012

**PHILIP S. GUTIERREZ**

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Hon. Philip S. Gutierrez, U.S. District  
Judge