

1 3. Confidential material may not be disclosed except as provided in paragraph 4.

2 4. Confidential material may be disclosed only to the following persons:

3 (a) Counsel for any party to this litigation.

4 (b) Paralegal, stenographic, clerical and secretarial personnel regularly employed
5 by counsel referred to in (a).

6 (c) Court personnel, including stenographic reporters engaged in such proceedings
7 as are necessarily incidental to preparation of the trial to this action.

8 (d) Any outside expert or consultant retained in connection with this action, and
9 not otherwise employed by either party.

10 Paragraph 4 is expressly intended to insure that confidential records that come into the
11 hands of individuals pursuant to the Court's ruling maintain their confidentiality and
12 may not be disseminated or made part of the public record, except as may be admissible
13 for trial.

14 5. Each person to whom disclosure of confidential employment or personnel records
15 is to be made, shall, prior to the time of disclosure, be provided by the person furnishing
16 him/her such material a copy of this order, and shall agree on the record, if any, or in
17 writing that s/he has read the protective order and that s/he understands its provisions.
18 Such person must also consent to be subject to the jurisdiction of the United States
19 District Court with respect to any proceeding relating to the enforcement of this order,
20 including without limitation, any proceeding for contempt. Unless made on the record in
21 this litigation, counsel making the disclosure to any person described above shall retain
22 the original executed copy of said agreement until final termination of this litigation.

23 6. If any information and/or documents which are the subject of this Protective Order
24 are presented to this or any other court in any other manner prior to the time of trial,
25 pursuant to Local Rule 79-5.1, said information and/or documents shall be lodged under
26 seal in an envelope clearly marked as follows: "Confidential Material Subject To A
27 Protective Order."

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1 7. At the conclusion of the trial and of any appeal or upon termination of this
2 litigation, all confidential materials received under the provisions of this order (including
3 any copies made and/or any computer materials made or stored) shall be tendered back to
4 Plaintiff's counsel. Provisions of this order insofar as they restrict the disclosure and use
5 of this material shall be in effect until further order of this Court.

6 8. The foregoing is without prejudice to the right of any party:

7 (a) To apply to the Court for a further protective order relating to confidential
8 material or relating to discovery in this litigation;

9 (b) To apply to the Court for an order removing the confidential material
10 designation from any documents; and

11 (c) To apply to the Court for an order compelling production of documents.

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13 IT IS SO ORDERED.

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16 DATED: June 16, 2017

17 /S/ FREDERICK F. MUMM
18 FREDERICK F. MUMM
19 United States Magistrate Judge
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