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6 Attorneys for Defendants  
 7 SHERIFF JIM MCDONNELL, in his official capacity

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 9 **UNITED STATES DISTRICT COURT**  
 10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11 ALEX ROSAS and JONATHAN  
 12 GOODWIN on behalf of themselves  
 and of those similarly situated,

13 Plaintiffs,

14 v.

15 Jim McDonnell, Sheriff of Los Angeles  
 16 County, in his official capacity,

17 Defendant.

Case No. CV 12-00428 DDP (MRWx)

**ORDER GOVERNING THE  
 DISCLOSURE OF RECORDS**

18  
 19 Based on the stipulation of the parties and good cause appearing, IT IS  
 20 HEREBY ORDERED:

21 1. With the exception of documents within the attorney-client and  
 22 attorney-work product privileges—and notwithstanding the confidentiality  
 23 restrictions of the Health Insurance Portability and Accountability Act (“HIPAA”),  
 24 the California Confidentiality of Medical Information Act (Civil Code §56, *et seq.*),  
 25 California Welfare and Institutions Code §5328 (related to confidentiality of mental  
 26 health records), the Public Safety Officers Procedural Bill of Rights Act  
 27 (Government Code §3300, *et seq.*), Penal Code §832.7, and Evidence Code §§ 1043  
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HOA.1061132.1

CV 12-00428 DDP (SH)

[PROPOSED] ORDER RE:  
 DISCLOSURE OF RECORDS

1 and 1045—the Monitors and their staff will have full and complete access to  
2 prisoner medical and mental health records, personnel records, and all other  
3 documents and data related to the provisions of the Agreement and necessary to  
4 assess Defendants’ compliance with the Agreement. Nothing in this paragraph  
5 waives any argument or claim by Plaintiff that the state law provisions cite above, or  
6 any other state or federal common law, statute or regulation creates a valid privilege  
7 or right to withhold documents from Plaintiffs in this federal court litigation which  
8 addresses Plaintiffs’ claims that their federal constitutional rights are being violated.

9       2.     The Monitors will safeguard and maintain the confidentiality of the  
10 Defendant’s documents, statements or information, including but not limited to  
11 those items identified in paragraph 1 above, and shall not disclose those documents,  
12 statements or information. Nothing in this paragraph shall be interpreted to mean  
13 that the Monitors may not otherwise rely on Defendants’ documents, statements or  
14 information in forming their conclusions or opinions about Defendants’ compliance  
15 with the Agreement or the Plan. Nothing in this paragraph waives any right of  
16 Plaintiffs to obtain documents, as otherwise permitted by the Agreement or law, that  
17 Defendant provides to the Monitors, or waives any argument by Plaintiffs that any  
18 document or portion thereof that Defendant provides to the Monitors is not  
19 privileged or confidential and may not be withheld from Plaintiffs.

20       3.     This stipulation will not be deemed a waiver of any privilege or right  
21 Defendants may assert, including those recognized at common law or created by  
22 statute, rule, or regulation, against any other person or entity with respect to the  
23 disclosure of any document, statement or information.

24       4.     This Order and the obligations of this stipulation shall survive the final  
25 termination of this case or withdrawal or removal of the monitor or staff member.

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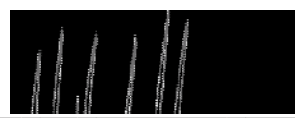
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5. The Court shall retain jurisdiction to resolve any dispute concerning the use or disclosure of any documents, statements or information addressed by this stipulation.

**IT IS SO ORDERED.**

DATED: June 17, 2016



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UNITED STATES MAGISTRATE JUDGE  
HONORABLE MICHAEL R. WILNER