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8 Attorneys for Defendants,
 9 JOSHUA RHODES, MICHAEL
 10 HAMILTON and VANCE STOLTE

11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

13 TRISTEN PILATO, et al.,
 14 Plaintiffs,

15 vs.

16 RIVERSIDE COUNTY DEPUTY
 17 SHERIFF'S JOSHUA RHODES, et al.,
 18 Defendants.

19 Defendants.

CASE NO. 12-CV-00438 CAS (OPx)

**STIPULATED PROTECTIVE
 ORDER**

Trial Date: December 4, 2012

20 TO ALL PARTIES AND ATTORNEYS OF RECORD HEREIN:
 21 THE PARTIES HAVING STIPULATED, AND GOOD CAUSE
 22 APPEARING, IT IS ORDERED:

23 1. Counsel for a party who produces information and documents which
 24 are confidential and/or proprietary may so designate the information and documents
 25 at the time of production. The copies of any records disclosed to counsel for parties
 26 pursuant to this Protective Order may be distinctively marked, provided that such
 27 marking does not obscure or obliterate the content of any record, and may be
 28 stamped with substantially the following language: "CONFIDENTIAL –
 UNLAWFUL TO DUPLICATE." Thereafter, counsel for the other parties to this



1 lawsuit shall not convey, transfer, publish, distribute, copy, duplicate or disseminate
2 the information or documents so provided except as may be reasonably necessary
3 for the prosecution of this litigation only, by communicating with investigators,
4 consultants and experts retained on behalf of the parties in this matter.

5 2. The documents produced pursuant to this Protective Order may not be
6 used for any purpose other than preparation and trial of the above-named lawsuit.

7 3. Prior to the dissemination of any such information or documents
8 pursuant to this Protective Order (except for the Court and Court personnel), counsel
9 shall inform such person of the terms and conditions of this Protective Order and
10 secure such person's written or emailed agreement to be bound by it.

11 4. Counsel for each party shall take reasonable precaution to prevent the
12 unauthorized or inadvertent disclosure of any of the protected information or
13 documents.

14 5. If any information or document provided pursuant to this Protective
15 Order is used in any motion filed with the Court, the party intending to use such
16 information or document shall file an application to have it filed under seal pursuant
17 to Local Rule 79-5, including filing a public redacted version of the document
18 concurrently.

19 6. Parties may assert that particular documents designated as confidential
20 are in fact, public knowledge or otherwise not subject to protection hereunder. Such
21 assertion, if made, shall be discussed between counsel for the parties and if
22 agreement cannot be reached, the matter will be submitted to the Court for
23 resolution in a motion pursuant to Local Rule 37, and until resolved by the Court
24 shall remain protected as confidential information hereunder. The burden of
25 demonstrating that documents should be protected by this Order shall remain at all
26 times on the designating party.

27 7. All documents subject to this Protective Order that are submitted to the
28 Court or used in any pretrial proceeding before this Court shall remain confidential

1 and the party submitting such information shall file an application to have it filed
2 under seal pursuant to Local Rule 79-5, including filing a public redacted version of
3 the document concurrently.

4 8. The inadvertent or unintentional disclosure of confidential
5 documents/information by the disclosing party shall not be construed to be a waiver,
6 in whole or in part of the disclosing party's claims of confidentiality either as to the
7 specific documents or as to any other information relating thereto.

8 9. In the event anyone shall violate or threaten to violate any terms of this
9 Protective Order, the aggrieved party may apply to obtain injunctive relief and
10 monetary sanctions against any such person violating or threatening to violate any of
11 the terms of this Protective Order. This Court shall have the power to impose
12 whatever penalties it deems appropriate for the violation of said Order, including,
13 but not limited to, monetary and judicial sanctions and contempt. Any court with
14 proper jurisdiction may issue injunctive relief.

15 10. The provisions of this Protective Order shall survive and remain in full
16 force and effect after the Entry of Final Judgment (including any appellate
17 proceedings) in this case, whether by settlement or litigation.


18 11. Upon final conclusion of the present litigation, all copies of all
19 documents disclosed subject to this Protective Order shall be returned to counsel for
20 the party who provided them. If documents are filed with the Court pursuant to
21 Local Rule 79-5, said documents shall be disposed of as provided in Local Rule 79-
22 5.

23 12. The agreement of the parties embodied in this Protective Order does
24 not constitute an admission or agreement that any documents or information is
25 subject to discovery, or is admissible as evidence, in this case. Designation of any
26 information as subject to this Protective Order shall have no meaning or effect
27 whatsoever with respect to the substantive issues in this proceeding or the claims or
28 defenses of any party hereto.

1 13. This Court retains jurisdiction to construe, enforce and amend the
2 provisions of this Order. This Order may not be modified absent further action by
3 the Court.

4 14. The treatment of confidential information to be introduced at trial shall
5 be the subject of a later order, if necessary.

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7 DATED: July 24, 2012

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10 By: 
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12 Hon. Oswald Parada
13 United States Magistrate Judge
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