

1 ARIEL PIERRE CALONNE, State Bar No. 110268  
 acalonne@ci.ventura.ca.us  
 2 City Attorney  
 ANDY H. VIETS, State Bar No. 127089  
 3 aviets@ci.ventura.ca.us  
 Senior Assistant City Attorney  
 4 CITY OF SAN BUENAVENTURA  
 501 Poli Street  
 5 Post Office Box 99  
 Ventura, California 93002-0099  
 6 Telephone: (805) 654-7818  
 Facsimile: (805) 641-0253  
 7

**NOTE COURT’S CHANGES TO PARAGRAPH D.3.**

8 Attorneys for Defendants  
 9 CITY OF SAN BUENAVENTURA (erroneously  
 sued herein as separate defendants “The City of  
 San Buenaventura” and “The San Buenaventura  
 Police Department”), and OFFICER ERIC JACKSON  
 10

11 UNITED STATES DISTRICT COURT  
 12 CENTRAL DISTRICT OF CALIFORNIA  
 13

14 GABRIEL AMARO, an individual,  
 15 Plaintiff,  
 16 v.

Case No. CV 12-06735-MRW

DISCOVERY MATTER

17 CITY OF SAN BUENAVENTURA,  
 THE SAN BUENAVENTURA POLICE  
 DEPARTMENT, OFFICER ERIC  
 18 JACKSON AND DOES 1-10, Inclusive,  
 19 Defendants.

**[PROPOSED] PROTECTIVE ORDER**

20  
 21 Pursuant to the stipulation entered into among plaintiff Gabriel Amaro and  
 22 defendants City of San Buenaventura [City] and Officer Eric Jackson [Jackson], by and  
 23 through their attorneys of record, the court orders:

- 24 1. A protective order is hereby issued as follows:

25 ///

26 ///

27 ///

28 ///

1 A. The documents produced pursuant to the protective order will be [numbered  
2 pursuant to the plaintiff's Request for Production of Documents and Things (Set One)]:

- 3 1. Use of Force Report
- 4 2. Personal History Statement
- 5 3. Psychological Report
- 6 4. None
- 7 5. Training Log
- 8 6. Disciplinary Records
- 9 7. None
- 10 8. Disciplinary Policy
- 11 9. None
- 12 10. Evaluations

13 The defendants may (a) limit the production to those documents created prior to  
14 August 8, 2010, and (b) redact irrelevant, privileged, confidential and personal  
15 information from said documents.

16 B. The documents produced pursuant to the protective order will be deemed  
17 confidential and shall be used solely with respect to the litigation of this action.

18 C. The documents produced pursuant to the protective order shall be marked  
19 "Confidential – Subject to Protective Order;" copies of said documents which are  
20 provided to the individuals listed in paragraph D below shall contain that label.

21 D. The documents produced pursuant to the protective order may be provided only to  
22 the following individuals:

- 23 (1) The plaintiff's attorney and staff directly employed by said attorney.
- 24 (2) Experts and consultants retained by the plaintiff's counsel.
- 25 (3) The Court and all Court personnel involved in handling this lawsuit.
- 26 (4) Anyone agreed to by the parties or appointed by the court to be a mediator or  
27 settlement officer with respect to this matter.

28 The plaintiff's counsel shall maintain a list detailing which of these documents are

1 produced to which of these individuals. Any such individual who is provided with copies  
2 of the documents shall be given a conformed copy of the protective order and shall be  
3 instructed not to disseminate the documents or any information therein to anyone. If said  
4 individual is a mediator or settlement officer under paragraph D(4), above, the documents  
5 shall be retrieved from said individual at the conclusion of the mediation or settlement  
6 procedure session.

7 E. The documents produced pursuant to the protective order shall not be provided to,  
8 shown via any method, or described in any manner to anyone other than those individuals  
9 listed in paragraph D above, and specifically shall not be provided to, shown via any  
10 method, or described in any manner to the plaintiff, the plaintiff's relatives, the plaintiff's  
11 friends or any media (television, radio, newspaper, magazine, internet, etc.), and shall not  
12 be posted on any internet site, blogs, etc. (Facebook, Twitter, etc.).

13 F. If a document produced pursuant to the protective order is referred to during any  
14 deposition conducted in this case, those portions of the deposition transcript and video of  
15 the deposition, if any, in which reference is made to said document shall be subject to the  
16 protective order and shall not be reproduced or disseminated to anyone other than those  
17 individuals listed in paragraph D above.

18 G. Any document produced pursuant to the protective order which the plaintiff seeks  
19 to use in a court proceeding regarding this matter shall be submitted to the court under  
20 seal as per Local Rule 79-5.

21 H. The documents produced pursuant to the protective order, and any copies made  
22 thereof, along with the list referenced in paragraph D above, shall be delivered to the  
23 defendants' attorney within thirty days of the conclusion of this action (the term  
24 "conclusion" refers to the action being voluntarily dismissed or all appeals from judgment  
25 being exhausted).

26 2. The defendants (a) do not concede the admissibility in court of any of the  
27 produced documents, (b) reserve any and all objections to the documents being admitted  
28 into evidence, and (c) preserve any all means of seeking to exclude said documents from

1 evidence.

2           3.       Production of the documents subject to this stipulation shall be produced to  
3 the plaintiff's counsel within ten calendar days of the Protective Order being filed by the  
4 court and entered on the PACER docket.

5

6 Dated: July 1, 2013



Magistrate Judge Michael R. Wilner

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28