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6 **CITY OF LOS ANGELES, CHARLES BECK**

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8   **UNITED STATES DISTRICT COURT**

9   **CENTRAL DISTRICT OF CALIFORNIA**

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11 RIOLORDO APPLING, an Individual,   ) CASE NO. CV13-8891 JAK (AJWx)
)
12   *Plaintiff,*   ) **Assigned to Trial Judge: Hon. John A. Kronstadt**
) **Courtroom: 750 - Roybal**
)
13   vs.   ) **Assigned to Magistrate: Hon. Andrew J. Wistrich**
) **Courtroom: 690 Roybal**
14   )
)
15 CITY OF LOS ANGELES, *et al.*   ) **PROTECTIVE ORDER**
)
16   *Defendants*.   )
)
17

18   THE PARTIES HAVING STIPULATED TO THE FOLLOWING, this Court

19 hereby orders as follows:

20   1.   The parties may designate as confidential the following:

21   [A]   All documents contained within the Los Angeles Police Department's

22   casebook related to the investigation of the attempted murder of

23   Michael Weaver;

24   [B]   All videotaped interviews of witnesses to the attempted murder of

25   Michael Weaver;

26   [C]   All audio recordings of interviews of witnesses to the attempted

27   murder of Michael Weaver;

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1   [D]   All documents containing the personal information of witnesses and

2   suspects involved in the investigation of the attempted murder of

3   Michael Weaver;

4   [E]   All reports and records that contain the personal information of

5   witnesses and suspects involved in the investigation of the attempted

6   murder of Michael Weaver;

7 all of which the parties believe might contain information of a privileged, confidential,

8 private or sensitive nature, by affixing to such document or writing a legend, such as

9 "Confidential." "Confidential Documents," "Confidential Material," "Subject to

10 Protective Order" or words of similar effect. This legend shall not be affixed in a manner

11 that obscures any text. These categories of documents and writings so designated, and all

12 information derived therefrom (hereinafter, collectively, "Confidential Information"),

13 shall be treated in accordance with the terms of this stipulation. The parties may also

14 designate deposition testimony, or portions thereof, which fall within these categories as

15 Confidential Information.

16   2.   Confidential Information falling within the scope of this order is limited to

17 personal identifying information for any individual except the following: name, age (in

18 years), and relationship to the incident (e.g., customer, bouncer, employee, percipient

19 witness).

20   3.   Confidential Information may be used by the persons receiving such

21 information only for the purpose of this litigation, such as locating the individual for an

22 interview or service.

23   4.   If any party who receives Confidential Information receives a subpoena or

24 other request seeking Confidential Information, he, she or it shall immediately give

25 written notice to the party's counsel, identifying the Confidential Information sought and

26 the time in which production or other disclosure is required, and shall object to the

27 request or subpoena on the grounds of this stipulation so as to afford the party an

28 opportunity to obtain an order barring production or other disclosure, or to otherwise

respond to the subpoena or other request for production or disclosure of Confidential Material. Other than objecting on the grounds of this stipulation, no party shall be obligated to seek an order barring production of Confidential Information. However, in no event should production or disclosure be made without written notice to party's counsel unless required by court order after serving written notice to the party's counsel.

5. Any pleadings, motions, briefs, declarations, stipulations, exhibits or other written submissions to the Court in this litigation shall redact all Confidential Information. If for some reason Confidential Information is deemed to be material, any such document shall be filed with an application pursuant to Local Rule 79-5.1, To file the papers - or the confidential portion(s) thereof - under seal. Such application shall be directed to the judge to whom the papers are directed. Pending the ruling on the application, the papers or portions thereof subject to the sealing application shall be lodged under seal.

6. Counsel for the parties hereto agree to request that any motions, applications or other pre-trial proceedings which could entail the discussion or disclosure of Confidential Information be heard by the Court outside the presence of the jury, unless having heard from counsel, the Court orders otherwise. Counsel for the parties further agree to request that, during any portion of the trial of this action which could entail the discussion or disclosure of Confidential Information, access to the courtroom be limited to parties, their counsel and other designated representative, experts or consultants who agree to be bound by this stipulation, and court personnel, unless having heard from counsel, the Court orders otherwise.
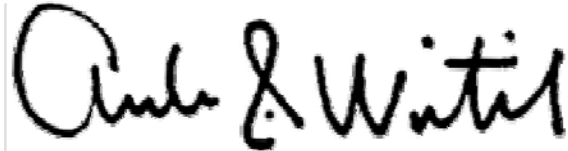
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1   9.   Nothing herein shall prejudice any party's rights to object to the introduction

2   of any Confidential Information into evidence, on grounds including but not limited to

3   relevance and privilege. In the event of a dispute regarding the designation of

4   confidential information, the parties shall follow the procedure set forth in Local Rule 37

5   for obtaining a decision from the Court.

6   10.   This protective order is to be effective on the date the order is signed by the

7   Court, and should survive settlement, trial and/or appeal.

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9   *IT IS SO ORDERED.*

10

11   DATED:_____   7/29/2014   _____

12   **HONORABLE ANDREW J. WISTRICH**
                             UNITED STATES MAGISTRATE JUDGE