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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

DARIUS GANT,
 Petitioner,
 v.
RON BARNES, Warden,
 Respondent.

Case No. CV-14-2618-CJC (SP)
QUALIFIED PROTECTIVE ORDER

1 GOOD CAUSE APPEARING, the Court hereby GRANTS Petitioner's request
2 for a Qualified Protective Order pertaining to the discovery requests authorized by this
3 Court's order granting discovery (Dkt. 57). The parties are ORDERED to abide by the
4 following agreed upon terms:

5 1. The parties shall not use or disclose any "protected health information," as
6 defined under The Health Insurance Portability and Accountability Act of 1996
7 (HIPAA), that is received in response to a subpoena issued in this litigation for any
8 purpose other than litigating Mr. Gant's post-conviction claims for habeas relief.

9 2. Within 60 days of the conclusion of this proceeding, the parties agree to
10 return or destroy any "protected health information" that is received from an entity
11 regulated under HIPAA in response to a subpoena issued in this litigation.

12 3. The "conclusion of this proceeding" shall occur at the conclusion of all
13 further appeals arising from this proceeding, including review by the United States
14 Supreme Court or upon the expiration of time for seeking such review.

15 4. The parties stipulate that this order satisfies the requirements for a
16 "qualified protective order" under 45 C.F.R. § 164.512(e)(1)(ii)(B).

17 5. The parties further acknowledge that this Qualified Protective Order does
18 not entitle them to file confidential information under seal; Civil Local Rule 79-5 sets
19 forth the procedures that must be followed and the standards that will be applied when
20 a party seeks permission from the Court to file material under seal.

21 It is so ordered.

22
23 DATED: May 1, 2017



24 THE HONORABLE SHERI PYM
25 UNITED STATES MAGISTRATE JUDGE

26 Presented by:

27 /s/ Michael Parente

28 MICHAEL PARENTE

Deputy Federal Public Defender