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

SUSAN MELLEN, JULIE CARROLL,
JESSICA CURCIO AND DONALD
BESCH,

Plaintiffs,

v.

CITY OF LOS ANGELES; MARCELLA
WINN; RICHARD HOFFMAN; AND
DOES 1-10 INCLUSIVE,

Defendants.

CASE NO.: CV15-03006 GW (AJWx)
Hon. George H. Wu, Ctrm. 10
Mag. Andrew J. Wistrich, Ctrm. 690, Roybal

**P R O T E C T I V E O R D E R
REGARDING DISCLOSURE OF
CONFIDENTIAL INFORMATION**

Whereas counsel for the parties have discussed the mutual exchange of documents in this litigation, Defendants, through their counsel of record, have agreed to produce certain confidential information in this litigation, and therefore, the parties have stipulated to the following terms and conditions, the Court hereby orders as follows:

1. In accordance with the above-referenced agreement, the City of Los Angeles has agreed to release the following information following the issuance of a protective order in this matter:

1 Material,” “Subject to Protective Order” or words of similar effect. Documents, writings,
2 or other tangible items, so designated, and all information derived therefrom (hereinafter,
3 collectively referred to as “Confidential Information”), shall be treated in accordance with
4 the terms of this stipulation and protective order.

5 8. Confidential Information may be used by the persons receiving such
6 information only for the purpose of attempting to locate and serve the retired employee
7 with the Complaint and Summons.

8 9. Subject to the further conditions imposed by this stipulation, Confidential
9 Information may be disclosed only to the following persons:

10 (a) Counsel for the Plaintiff, his process server and investigator.

11 10. Any proof of service which is filed and which contains any protected
12 information will be sealed by way of this Stipulation and Protective Order to be issued by
13 the Court.

14 11. Upon the final termination of this litigation in either the United States District
15 Court (Central District of California), the Ninth Circuit Court of Appeals or Los Angeles
16 County Superior Court, all Confidential Information and all copies thereof shall be
17 returned to the Los Angeles City Attorney's Office within fourteen (14) calendar days
18 along with written confirmation from Plaintiff's counsel that all materials are being
19 returned pursuant to the terms of this Stipulation and the District Court's order on this
20 Stipulation.

21 12. If Plaintiff's counsel receives a subpoena or other request seeking Mr.
22 Hoffman's last known address, identified herein, he or she shall immediately give written
23 notice to the Defendants' counsel, identifying the Confidential Information sought and the
24 time in which production or other disclosure is required, and shall object to the request or
25 subpoena on the grounds of this stipulation so as to afford the Defendants an opportunity
26 to obtain an order barring production or other disclosure, or to otherwise respond to the
27 subpoena or other request for production or disclosure of Confidential Material. Other
28 than objecting on the grounds of this stipulation, no party shall be obligated to seek an

1 order barring production of Confidential Information, which obligation shall be borne by
2 the Defendants. However, in no event should production or disclosure be made without
3 written approval by the Defendants' counsel unless required by court order arising from
4 a motion to compel production or disclosure of Confidential Information.

5 13. Any pleadings, motions, briefs, declarations, stipulations, exhibits or other
6 written submissions to the Court in this litigation which contain Mr. Hoffman's last
7 known address shall be **submitted with an application that the document be filed and**
8 **maintained under seal either pursuant to Ex Parte Application and Order of the**
9 **Court or Stipulation of the parties and Order of the Court. (Local Rule 79-5, et seq.).**
10 **Good cause for the under seal filing must be shown.** If a document or pleading
11 submitted to the Court, as described in this paragraph, makes only a general reference to
12 any document or information contained therein covered by this protective order, but does
13 not quote or describe its contents in any specific way, and does not include the protected
14 document itself, then the party or parties need not enter into a Stipulation or otherwise
15 seek an order to file the documents under seal. **In entering into a Stipulation for the**
16 **filing of Confidential Information under seal, neither one of the parties waives its**
17 **right to object to the admissibility of said information in connection with that**
18 **proceeding or to move to exclude said information prior to or during the time of**
19 **trial.**

20 14. The parties agree that the spirit of confidentiality as protected in this order
21 will apply to all proceedings. To that end, before any protected document or any
22 information derived therefrom is to be put forward, admitted into evidence, discussed in
23 detail or otherwise publicized in Court, the party raising the protected document will
24 inform the other parties and allow for a motion to the Court to close the proceedings to the
25 public.

26 15. Nothing herein shall prejudice any party's rights to object to the introduction
27 of any Confidential Information into evidence, on grounds including but not limited to
28 relevance and privilege.

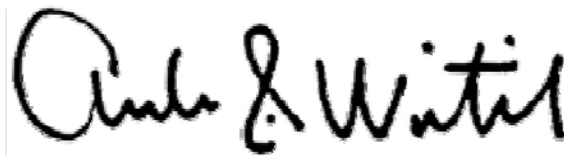
1 16. During the course of depositions, counsel agrees not to question Mr. Hoffman
2 regarding his last known address as provided by the City of Los Angeles, which is the
3 subject of this Stipulation and protective order. Counsel does not waive the right to ask
4 him questions about any and all other topics. Counsel and the parties reserve the right to
5 object to the disclosure of confidential or private information which is not the subject of
6 this Stipulation and protective order. Any documents deemed confidential pursuant to this
7 protective order will be sealed, if they are used as exhibits in any deposition. -This
8 agreement does not waive any objections counsel may make, including objections
9 unrelated to the reasons for this protective order.

10 17. Each person receiving or reviewing Confidential Information must consent
11 to the jurisdiction of the United States District Court for the Central District of California,
12 including the Magistrate Judge assigned to this case, with respect to any proceeding
13 relating to enforcement of this Order, including, without limitation, any proceeding for
14 contempt and/or monetary sanctions.

15 18. This Stipulation may be signed in sub-parts and may be transmitted by
16 facsimile as if it was the original document. Defendants will lodge this executed
17 Stipulation with the Court for approval.

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19 **IT IS SO ORDERED.**

20 8/5/2015
21 DATED: _____



22 **HONORABLE ANDREW J. WISTRICH**
23 **UNITED STATES MAGISTRATE JUDGE**

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