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10  
 11 UNITED STATES DISTRICT COURT  
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 DARON HAYES,  
 14 Plaintiff,  
 15 v.  
 16 CITY OF INGLEWOOD, and  
 17 DOES 1-10, inclusive,  
 18 Defendants.

Case No. 2:15 CV 07396-SVW-E

~~PROPOSED~~ PROTECTIVE ORDER  
 RE LIMITED USE OF INFORMATION/  
 DOCUMENTS PRODUCED IN  
 DISCOVERY

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19 **PROPOSED PROTECTIVE ORDER**

20 After consideration of the written stipulation of counsel, the Court hereby  
 21 makes the following order:

*C. J. [Signature]*

22 1. *Defendant alleges that*  
 23 ~~Dissemination~~ or use of the documents or the information contained in

24 the documents or items produced or to be produced by the Defendant in response to  
 25 Plaintiff's Request for Production of Document would cause Defendant annoyance,  
 26 embarrassment, oppression, or undue burden or expense, and for that reason,  
 27 pursuant to Federal Rules of Civil Procedure, Rule 26(c), this Protective Order  
 28 protects such documents, as well as information derived therefrom (collectively,  
 "Protected Information"), from dissemination or use outside of the instant litigation.

1           2. All Protected Information produced shall be marked "PROTECTED."  
2 If the first page of any multi-page document bears this legend, then the entire  
3 document is deemed protected, unless otherwise indicated by the producing party.  
4 The stamping of the legend "PROTECTED" is for identification purposes only, and  
5 in the event that a document produced is inadvertently not stamped with the legend  
6 "PROTECTED," such document is still subject to the provisions of this Protective  
7 Order.

8           3. All Protected Information produced in accordance with the Protective  
9 Order shall not be used other than the instant case. It shall not be used in any other  
10 case, forum, proceeding, or for any other purpose other than the conduct of the  
11 instant litigation. Protected Information produced in connection with this Protective  
12 Order shall not be disclosed, disseminated, or in any manner provided to the media  
13 or any member of the public, unless the Court has ruled that the Protected  
14 Information may be divulged to the media and the public. Nor shall the Protected  
15 Information be disseminated in any form, to any person, except by court order, or  
16 until such time as the "PROTECTED" designation is removed by agreement of  
17 counsel for the parties or by further order of this Court.

18           4. Those individuals authorized to review the Protected Information in  
19 connection with this litigation are expressly prohibited from duplicating, copying or  
20 otherwise distributing, disseminating, or orally disclosing any of the disclosed  
21 Protected Information for any purpose to any person or entity not permitted access  
22 herein.

23           5. Protected Information shall be viewed only by: (1) the Court and its  
24 staff; (2) counsel of record for the parties, (3) the parties to the action, including  
25 Defendant's designated representatives, (4) witnesses other than the parties may  
26 review any statement made by that witness, reports containing, referencing or  
27 repeating that witness's statements, and evidentiary and other items referenced in  
28 their statements or reports of their statements, so long as that witness has agreed in

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1 writing in advance of any disclosure of Protected Information to be bound by this  
2 Protective Order, (5) independent experts and consultants retained by parties, and  
3 (6) any associates, assistants, and secretarial personnel of such experts, consultants  
4 and other persons designated by agreement of counsel for the parties, and so long as  
5 they have agreed in writing in advance of any disclosure of Protected Information to  
6 be bound by this Protective Order. In the event an individual does not consent to be  
7 bound by this Protective Order, no disclosure of Protected Information will be made  
8 to such individual. The Court and its staff may review all matters, which pertain to  
9 the discussion of the Protected Information, including law and motion matters,  
10 consistent with this Protective Order in respect to the Protected Information.

11 6. In the event that any Protected Information is used or referred to during  
12 the course of any court proceeding in this action, such Protected Information shall  
13 not lose its protected status through such use.

14 7. Counsel for each party shall take reasonable precautions to prevent the  
15 unauthorized or inadvertent disclosure of Protected Information.

16 8. In the event that the terms of this Protective Order are violated, the  
17 parties agree that the aggrieved party may immediately apply to this Court to obtain  
18 injunctive relief and sanctions against any person violating any of the terms of this  
19 Protective Order. This Court shall retain jurisdiction over the parties for the purpose  
20 of enforcing this Protective Order, and the Court shall have the power to modify this  
21 Protective Order at any time and to impose whatever penalties it deems appropriate  
22 for the violation of this Protective Order. Any such request for injunctive relief  
23 and/or monetary sanctions must be made by a properly noticed motion and pursuant  
24 to statute.

25 9. This Protective Order, and the obligations of all persons thereunder,  
26 including those relating to the disclosure and use of Protected Information, shall  
27 survive the final termination of this case, whether such termination is by settlement,  
28 judgment, dismissal, appeal or otherwise, until further order of the court.

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1 10. The parties will preserve all Protected Information and copies thereof,  
2 and will return them to Defendant when this litigation is concluded, unless another  
3 method is expressly agreed to in writing.

4 11. The Parties and all signatories to the Stipulation submitted herewith,  
5 agree to be bound by this Stipulation and Protective Order pending its approval and  
6 entry by the Court. In the event that the Court modifies this Protective Order, or in  
7 the event that the Court enters a different Protective Order, the Parties agree to be  
8 bound by this Protective Order until such time as the Court may approve or issue  
9 such a different Order.

10 12. A party's agreement to this Protective Order shall not be an admission  
11 that Protected Information must be produced in response to discovery, and the  
12 parties agree that this Protective Order pertains to the Protected Information related  
13 to discovery, and not trial.

14 **Challenging Designation of Protected Information.**

15 13. At any time after receipt of documents labeled as Protected  
16 Information, Plaintiff may provide Defendant with a written objection in the form of  
17 a letter brief referencing this Protective Order, objecting to the classification of  
18 specific documents as prohibited from disclosure under this Protective Order and the  
19 basis for Plaintiff's objection. Upon receipt of such a letter brief written objection,  
20 Defendant shall provide a written response in letter brief format to Plaintiff within  
21 seven (7) business days. If Defendant does not agree with the position of Plaintiff,  
22 Plaintiff shall have the option of proceeding with a discovery motion contesting the  
23 Protected Information designation of the documents. The foregoing written  
24 objection process by letter brief shall not relieve the parties of the duty to comply  
25 with the meet and confer requirements of the Federal Rules of Civil Procedure,  
26 including any local district court rules, prior to the filing of any such motion  
27 challenging the Protected Information designation of any such documentation.

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1 14. Testimony taken at any deposition, conference, or hearing may be  
2 designated as Protected Information by making a statement to that effect on the  
3 record at the deposition or proceeding. Arrangements shall be made by the taking  
4 party with the Court Reporter transcribing such proceedings to separately bind such  
5 portions of the transcript containing information designated as Protected  
6 Information, and to label such portions accordingly. Any request to seal Protected  
7 Information that becomes part of the record shall be made pursuant to court motion.

8 It is the Parties' intent to be bound by the terms of this Protective Order  
9 pending its entry so as to allow for immediate production of Protected Information  
10 under the terms herein.

11 **IT IS SO ORDERED.**

12  
13 DATED: February 12, 2016



14 HONORABLE STEPHEN V. WILSON  
15 U.S. DISTRICT COURT JUDGE

16 CHARLES F. EICK  
17 UNITED STATES MAGISTRATE JUDGE

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