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

THE ESTATE OF KENNEY
WATKINS, PRESCIOUS SASSER,
individually, as successor in interest
to KENNY WATKINS

Plaintiffs

vs.

CITY OF LOS ANGELES, LOS
ANGELES POLICE
DEPARTMENT, EVAN URIAS, and
DOES 1
THROUGH 25, INCLUSIVE,

Defendants.

Case No.: CV17-00485 JFW (FFMx)

**[PROPOSED]
PROTECTIVE ORDER**

Whereas plaintiffs have propounded a request for production of documents upon defendants pertaining to official and confidential information, contained in documents maintained by the Los Angeles Police Department, and whereas the parties having met and conferred with each other and the Court, and stipulated to certain terms and conditions, the Court hereby orders as follows:

1. Defendants may designate as confidential any document or writing that they, in good faith, believe contains information of a privileged, confidential, private or sensitive nature, by affixing to such document or writing a legend, such as “Confidential.” “Confidential Documents,” “Confidential Material,”

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

5 2. If Plaintiff’s counsel believes that any document, writing or
6 information that has been designated by Defendants as Confidential (or an
7 equivalent designation) does not warrant that designation Plaintiff’s counsel will
8 advise Defendants’ counsel. The parties will attempt in good faith to resolve the
9 question of whether the designation is warranted. If the parties are unable to resolve
10 the matter informally, the disagreement will be resolved by the Magistrate Judge (or
11 District Judge, if appropriate). Notwithstanding Plaintiff’s counsel belief that a
12 document, writing or information that has been designated by Defendants as
13 Confidential (or an equivalent designation) does not warrant that designation,
14 Plaintiff’s counsel will continue to treat it as such in accordance with the terms of
15 this Protective Order unless and until the parties agree otherwise or the Court so
16 determines.
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18 3. Confidential Information may be used by the persons receiving
19 such information only for the purpose of this litigation.

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

22 (a) Counsel for the parties, parties, and to experts, investigators,
23 paralegal assistants, office clerks, secretaries and other such personnel working
24 under their supervision;

25 (b) The Court and its personnel; and

26 (c) Such other parties as may be agreed by written stipulation among
27 the parties hereto.

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1 5. Prior to the disclosure of any Confidential Information to any
2 person described in paragraph 4(a) or 4(c), counsel for the party that has received
3 and seeks to use or disclose such Confidential Information shall first provide any
4 such person with a copy of this stipulation, and shall cause him or her to execute, on
5 a second copy which counsel shall thereafter serve on the other party the following
6 acknowledgment:

7 “I understand that I am being given access to Confidential
8 Information pursuant to the foregoing stipulation and order.
9 I have read the Order and agree to be bound by its terms
10 with respect to the handling, use and disclosure of such
11 Confidential Information.

12 Dated: _____/s/_____”

13 6. Upon the final termination of this litigation, including any appeal
14 pertaining thereto, all Confidential Information and all copies thereof shall be
15 returned to the Defendant City of Los Angeles through the City Attorney’s Office.
16 All Confidential Information disclosed to any person or party pursuant to any
17 provision hereof also shall be returned to the Defendants.
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19 7. If any party who receives Confidential Information receives a subpoena
20 or other request seeking Confidential Information, he, she or it shall immediately
21 give written notice to the Defendants’ counsel, identifying the Confidential
22 Information sought and the time in which production or other disclosure is required,
23 and shall object to the request or subpoena on the grounds of this stipulation so as to
24 afford the Defendants an opportunity to obtain an order barring production or other
25 disclosure, or to otherwise respond to the subpoena or other request for production
26 or disclosure of Confidential Material. Other than objecting on the grounds of this
27 stipulation, no party shall be obligated to seek an order barring production of
28 Confidential Information, which obligation shall be borne by the Defendants. If the

1 Defendants, or any of them, timely seek a protective order, the party served with the
2 subpoena or court order shall not produce any information designated in this action
3 as “CONFIDENTIAL” before a determination by the court from which the subpoena
4 or order issued, unless the party has obtained the objecting party’s permission. The
5 objecting Defendant(s) shall bear the burden and expense of seeking protection in
6 that court of the confidential material and nothing in these provisions should be
7 construed as authorizing or encouraging a party in this Action to disobey a lawful
8 directive from another court.

9 8. Any pleadings, motions, briefs, declarations, stipulations,
10 exhibits or other written submissions to the Court in this litigation which contain,
11 reflect, incorporate or refer to Confidential Information shall be submitted to the
12 Court with an application for an order sealing the submission pursuant to Local Rule
13 79.

14 9. Counsel for the parties hereto agree that any motions,
15 applications or other pre-trial proceedings which entail the discussion or disclosure
16 of Confidential Information be heard by the Court outside the presence of the jury or
17 potential jurors, unless having heard from counsel, the Court orders otherwise. Any
18 use of Confidential Information at trial shall be governed by the orders of the trial
19 judge. This Order does not govern the use of Confidential Information at trial.

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