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NOTE CHANGES MADE BY THE COURT

11 Attorneys for Defendant Vulcan Materials Company Long Term
Disability Plan
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13

14 UNITED STATES DISTRICT COURT

15 CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION
16

17 JANICE PARKER,
18 Plaintiff,

19 v.

20 VULCAN MATERIALS COMPANY
LONG TERM DISABILITY PLAN, an
21 ERISA plan; VULCAN MATERIALS
COMPANY, a corporation; DOES 1-
22 10,

23 Defendants.
24

Case No. EDCV 07-1512 SGL (OPx)

**STIPULATED CONFIDENTIALITY
AGREEMENT AND [PROPOSED]
PROTECTIVE ORDER**

NOTE CHANGES MADE BY THE COURT

25 IT IS HEREBY ORDERED that certain documents, materials or information
26 to be produced by Defendant in discovery (as described in Paragraph 1) shall be
27 subject to the following Order with respect to confidentiality and privacy.
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BURKE, WILLIAMS &
SORENSEN, LLP
ATTORNEYS AT LAW
LOS ANGELES

LA #4824-5357-9779 v1

- 1 -

CASE NO. EDCV 07-1512 SGL (OPX)
STIP. CONF. AGREEMENT & [PROPOSED]
PROTECTIVE ORDER

1 written Understanding and Agreement to be bound by this Order in the form
2 attached hereto as Exhibit 1.

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4 7. Upon request of any Party, the original transcript and any and all
5 copies of any deposition containing (a) documents pertaining to the Information as
6 exhibits, or (b) testimony relating to the Information, shall be marked on its cover
7 "CONTAINS CONFIDENTIAL INFORMATION. DO NOT DISCLOSE
8 EXCEPT BY COURT ORDER." Disclosure of any copy of such deposition
9 transcript or any document attached as a deposition exhibit shall be restricted to the
10 deponent, his or her counsel of record, and persons designated in Paragraph 5.

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12 8. The Parties may disclose the Information to the Court in connection
13 with motions filed in this case or at trial in this case. The Information will be
14 provided to the Court in a sealed envelope and will be marked "Confidential:
15 Subject to Protective Order." The Court will decide whether to seal the Information
16 and all references to the information in any other documents, or in any reporter's
17 transcript at the conclusion of the litigation. *Any requests for*
18 *under seal filing shall comply with local Rule 79-5.*

19 9. Production of the documents or disclosure of the Information protected
20 by this Order shall not constitute a waiver of any confidentiality, privacy right or
21 privilege. Moreover, Defendants retain the right to assert all substantive objections
22 to the Information and/or documents containing the Information, including but not
23 limited to relevancy, hearsay, privacy and privilege.

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1 10. Any part of the Information may be removed from the scope of this
2 Order by agreement of the Parties or by Court order.

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4 11. Should any Party violate the terms of this Order, and should legal
5 action be necessary as a result of any violation or threatened violation of this Order,
6 the prevailing Party shall recover any damages allowed under the law.

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8 12. Notwithstanding anything to the contrary contained herein, any Party
9 may move for a modification of this Order at any time that the interests of justice
10 appear to so require. Further, nothing in this Order shall be construed as affecting
11 the Parties' obligations with respect to the Information as required by law.

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13 13. This Order shall be binding on any and all Parties.

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STIPULATION

The parties hereto, through their respective counsel, stipulate to entry of the foregoing protective order.

DATED: February 13, 2009

LAW OFFICES OF CHARLES J. FLEISHMAN
CHARLES J. FLEISHMAN
PAUL A. FLEISHMAN

By: Paul Fleishman
PAUL A. FLEISHMAN
Attorneys for Plaintiff Janice Parker

DATED: February 23, 2009

BURKE, WILLIAMS & SORENSEN, LLP
DANIEL W. MAGUIRE
EDITH S. SHEA

By: Edith S. Shea
EDITH S. SHEA
Attorneys for Vulcan Materials Company Long Term Disability Plan

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ORDER

IT IS SO ORDERED.

Dated: 2/24/09



Magistrate Judge, United States District
Court

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EXHIBIT 1

UNDERSTANDING AND AGREEMENT PURSUANT

TO PROTECTIVE ORDER

I hereby state that I have read a copy of the Stipulated Protective Order in Janice Parker v. Vulcan Materials Company Long Term Disability Plan, Case No. EDCV 07-1512 SGL (OPx), pending in the United States District Court of the Central District of California. I understand and agree to be bound by its terms.

Dated: _____

SIGNATURE

PRINTED NAME

ADDRESS