

1 ARTHUR K. CUNNINGHAM, SB# 97506  
 E-Mail: Arthur.Cunningham@lewisbrisbois.com  
 2 STEPHANIE J. TANADA, SB# 257769  
 E-Mail: Stephanie.Tanada@lewisbrisbois.com  
 3 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
 650 East Hospitality Lane, Suite 600  
 4 San Bernardino, California 92408  
 Telephone: 909.387.1130  
 5 Facsimile: 909.387.1138

6 CHRISTOPHER D. LOCKWOOD, SB# 110853  
 E-Mail: Christopher.Lockwood@AriasLockwood.com  
 7 **Arias & Lockwood, Attorneys at Law**  
 1881 S. Business Center Drive, Suite 9A  
 8 San Bernardino, California 92408  
 Telephone: 909.890.0125  
 9 Facsimile: 909.890.0185

10 Attorneys for Defendants  
 COUNTY OF RIVERSIDE and STAN  
 11 SNIFF

12 UNITED STATES DISTRICT COURT  
 13 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION  
 14

15 JOSHUA SNYDER,  
 16 Plaintiff,

17 vs.

18 RIVERSIDE COUNTY,  
 19 et al.,  
 20 Defendants.

CASE NO. 15-CV-00817-DSF (SP)  
**PROTECTIVE ORDER**

21  
 22 In order to protect the confidentiality of documents and information while still  
 23 allowing necessary discovery, the court orders as follows:

24 1. Documents and information that potentially can jeopardize jail security is  
 25 subject to a qualified privilege and should not be provided in discovery except  
 26 pursuant to a pursuant to a tightly drawn protective order. Fourhorn v. City and  
 27 County of Denver, 261 F.R.D. 564 (D. Col. 2009); Castle v. Jallah, 12 F.R.D. 618  
 28 (E.D. Va. 1992); Clark v. Louisiana, 2014 WL 5586416 (M.D. La. 2014); Walker v.



1 Wall, 2010 WL 4903825 (D. R.I. 2010). See also Toussaint v. McCarthy, 801 F.2d  
2 1080, 1104 (9<sup>th</sup> Cir. 1080) (“Courts must accord wide-ranging deference to prison  
3 administrators ‘in the adoption and execution of policies and practices that in their  
4 judgment are needed to preserve internal order and discipline and to maintain  
5 institutional security.’ [Citation]”).

6 2. Defendants may designate specific documents or specific types of  
7 information as confidential. Any document and information so designated shall be  
8 subject to the terms of this Protective Order. The documents and information so  
9 designated shall be limited to documents and information which are important to jail  
10 security.

11 3. Absent a further stipulation or court order, any documents and information  
12 designated as confidential shall not be conveyed, transferred, published, distributed,  
13 copied, duplicated or disseminated except as follows:

14 (a) To Plaintiff.

15 (b) To attorneys licensed to practice in the State of California and to  
16 recognized expert witnesses, and their staff.

17 4. Prior to the dissemination of any such documents or information pursuant  
18 to this Protective Order, Plaintiff shall provide such person a copy of this Protective  
19 Order and secure such person’s agreement in writing to be bound by it.

20 5. The usual protective order for these types of documents and information is  
21 an attorney and expert only order. See Trujillo v. Jacquez, 2014 U.S. Dist. Lexis  
22 113850, 12 (N.D. Cal. 2014; Parrish v. Solis, 2014 U.S. Dist. Lexis 75513, 14 (N.D.  
23 Cal. 2014) (same); Narog v. City of Redwood City, 2014 U.S. Dist. Lexis 59435, 9  
24 (N.D. Cal. 2014) (same); Wayne v. Kirk, 2016 U.S. Dist. Lexis 17692, \*34 (N.D.  
25 Ill. 2016) (HIPAA); Koester v. YMCA of Greater St. Louis, 2015 U.S. Dist. Lexis  
26 68886, \*4 (E.D. Mo. 2015). With a pro se plaintiff, that is obviously impossible, but  
27 the reasons for that type of order still apply. Allowing other inmates who could be  
28 transferred to County jails in the future to obtain information concerning jail

1 security issues could jeopardize jail security. Plaintiff is allowed to view documents  
2 and written information subject to this protective order under the supervision of  
3 custody staff, but is not allowed to keep the documents in his cell. Plaintiff is  
4 expressly prohibited from showing the documents to any other inmate and is  
5 expressly prohibited from discussing the contents of the documents or the  
6 information subject to this protective order with any other inmate.

7 6. Plaintiff is precluded from using the documents or information obtained  
8 from the documents except for the purposes of litigating the present lawsuit.

9 7. At the conclusion of this lawsuit, any documents provided pursuant to this  
10 Protective Order shall be returned to counsel for Defendants.

11 8. Any document that has been designated as confidential pursuant to this  
12 Protective Order shall be filed with the Court only with an application under Local  
13 Civil Rule 79-5.1 to file it under seal, unless there has been a prior stipulation or  
14 order designating the document as non-confidential. Any information obtained from  
15 documents that have been designated as confidential pursuant to this  
16 Protective Order shall be filed with the Court only with an application under Local  
17 Civil Rule 79-5.1 to file it under seal, unless there has been a prior stipulation or  
18 order designating the document as non-confidential.

19 9. The parties may stipulate that any document which was initially designated  
20 as confidential and subject to this Protective Order is not confidential and not  
21 subject to this Protective Order. If a stipulation cannot be reached, Plaintiff may  
22 apply to the Court for an order that a document which was designated as  
23 confidential and subject to this Protective Order is not confidential and not subject  
24 to this Protective Order. Any such application to the Court must be filed with an  
25 application under Local Civil Rule 79-5.1 to file under seal any document or item of  
26 information designated as confidential, with the contents not disclosed publicly,  
27 unless and until the Court rules that the document is not subject to the Protective  
28 Order.

1           10. If Defendants believe that the provisions of this Protective Order have  
2 been violated, Defendants may apply to the Court for an order seeking monetary  
3 sanctions, evidence sanctions, or other appropriate relief.

4           11. This Protective Order shall survive the final termination of this action, to  
5 the extent that the documents and information disclosed remain confidential and do  
6 not become known to the public, and the Court shall retain jurisdiction to assess  
7 monetary sanctions or other relief and to resolve any dispute concerning the use of  
8 the documents and information disclosed pursuant to this Protective Order.

9 DATED: July 25, 2017

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12 Hon. Sheri Pym  
13 United States Magistrate Judge  
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