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5 Attorneys for Defendants CITY OF ANAHEIM, and  
 6 CITY OF ANAHEIM erroneously sued as ANAHEIM  
 POLICE DEPARTMENT

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

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 11 BARBARA PADILLA AND  
 12 MARIO CEJA,

13 Plaintiffs,

14 v.

15 CITY OF ANAHEIM, ANAHEIM  
 16 POLICE DEPARTMENT, AND  
 17 DOE OFFICERS OF THE  
 ANAHEIM POLICE  
 DEPARTMENT, AND DOES 1  
 through 10, Inclusive,,

18 Defendants.

Case No.: SACV12-622 JVS(JPRx)

PROTECTIVE ORDER RE  
 CONFIDENTIAL INFORMATION

**\*NOTE CHANGES MADE BY THE COURT\***

19  
 20 The parties stipulated to a protective order re confidential information that  
 21 was filed on or about September 10, 2012, and seek to have a protective order  
 22 entered by the Court based on that stipulation. **The stipulation is approved as**  
 23 **modified by the Court (see attached revised protective order.)**

24 IT IS SO ORDERED.

25 

26 Date: September 18, 2012

27 HON. JEAN P. ROSENBLUTH  
 United States Magistrate Judge

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12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA

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11 BARBARA PADILLA AND  
12 MARIO CEJA,

13 Plaintiffs,

14 v.

15 CITY OF ANAHEIM, ANAHEIM  
16 POLICE DEPARTMENT, AND  
17 DOE OFFICERS OF THE  
18 ANAHEIM POLICE  
19 DEPARTMENT, AND DOES 1  
20 through 10, Inclusive,,

21 Defendants.

Case No.: SACV12-622 JVS(JPRx)

STIPULATION FOR PROTECTIVE  
ORDER RE CONFIDENTIAL  
INFORMATION

1           The parties, Plaintiffs BARBARA PADILLA and MARIO CEJA, and  
2 Defendants CITY OF ANAHEIM, and CITY OF ANAHEIM erroneously sued  
3 as ANAHEIM POLICE DEPARTMENT (“Defendants” or “City”) through their  
4 respective attorneys of record, agree that the following protective order be issued  
5 in this matter pursuant to Rule 26(c)(7) of the Federal Rules of Civil Procedure.

6           1.     This Protective Order applies to and governs the use of law  
7 enforcement investigative reports and records concerning the shooting of  
8 decedent Marcel Ceja which are being produced to Plaintiff by the City. This  
9 Order shall also apply to and govern any other investigative or law enforcement  
10 reports or records subsequently produced to Plaintiff by the City concerning the  
11 shooting of decedent Marcel Ceja or its aftermath (hereinafter referred to as  
12 “Confidential Information”), including but not limited to, reports or memoranda  
13 prepared by the Anaheim Police Department or the Orange County District  
14 Attorney’s Office (OCDA). The OCDA investigation is not yet finished but will  
15 be produced by Defendants to Plaintiffs after it is completed.

16           The term Confidential Information shall mean and include the documents  
17 listed above, any and all portions thereof, and all documents of whatever kind  
18 containing information set forth in or obtained from these documents.

19           2.     Plaintiffs' counsel shall use the Confidential Information solely for  
20 the purposes of this litigation, and shall not disclose any portion of the  
21 Confidential Information to any other person, firm or corporation except:

22           A.     Bona fide employees of counsel’s law offices, and then only to the  
23 extent necessary to enable said persons to assist in litigation of this action;

24           B.     Plaintiffs, to the extent deemed necessary by counsel for the  
25 prosecution of this litigation;

26           C.     Expert witnesses employed by the parties to this action;

27           D.     Consultants retained by the parties to this action; or

28           E.     The Court.

1           3. All persons described in paragraph 2 (a) through (d) above shall not  
2 disclose any portion of said Confidential Information and shall not use any  
3 information obtained therefrom except in conformance with this Protective Order  
4 and for purposes of this litigation. Any party who discloses Confidential  
5 Information to any person described in paragraph 2 (a) through (d) shall advise  
6 such person that said matters constitute Confidential Information which may be  
7 used only for the litigation of this action, and shall, prior to disclosure of the  
8 Confidential Information, have such person execute a written Understanding and  
9 Agreement to be bound by this Stipulation for Protective Order in the form  
10 attached hereto as Exhibit 1.

11           4. Any deposition testimony that encompasses or concerns  
12 Confidential Information shall be transcribed in a separate booklet that is marked  
13 on its cover "Confidential: Do not Disclose<sup>Unless</sup> by Court Order." In addition, any  
14 documents containing Confidential Information that <sup>the parties</sup> are submitted to the Court  
15 shall be filed or lodged in <sup>compliance with Local Rule 79-5.</sup> a sealed envelope marked "Confidential: Subject to  
16 ~~Protective Order.~~"

17           5. The attorneys for Plaintiffs are directed to retain all copies of  
18 documents, notes, or summaries containing Confidential Information in their  
19 custody, possession and control and to take the necessary precautions to prevent  
20 persons not authorized as provided above from obtaining access to any such  
21 Confidential Information.

22           6. Production of the Confidential Information protected by this  
23 Stipulated Agreement and Order shall not constitute a waiver of any privileged or  
24 confidentiality or privacy right. The parties retain the right to assert all  
25 substantive objections to the Confidential Information, including but not limited  
26 to, relevancy, hearsay, privacy, privilege, and Rule 403 of the Federal Rules of  
27 Evidence.

28           7. At the conclusion of this action, all documents containing

1 Confidential Information, all copies and extracts thereof, with the exception of  
2 those documents affected by the attorney work-product doctrine or attorney-  
3 client privilege, <sup>and those filed with the Court</sup> shall be returned to counsel for the City. As to those documents  
4 protected by the attorney work-product doctrine or attorney-client privilege,  
5 Plaintiffs and their counsel agree that any and all such documents shall either be  
6 redacted and returned to the City or shall be destroyed.

JP

7 IT IS SO STIPULATED.

8 Dated: September 10, 2012

CRISTINA L. TALLEY, CITY ATTORNEY

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Bv: 

Moses W. Johnson, IV  
Assistant City Attorney  
Attorneys for Defendants  
CITY OF ANAHEIM, and CITY OF  
ANAHEIM erroneously sued as  
ANAHEIM POLICE DEPARTMENT

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Dated: September <sup>10<sup>th</sup></sup>, 2012

SAYRE & LEVITT, LLP

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Bv: 

Adam L. Salamoff, Esq.  
Attorneys for Plaintiffs  
BARBARA PADILLA and MARIO  
CEJA

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