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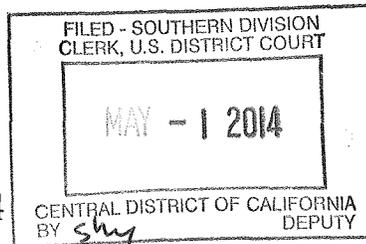
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6 Anaheim Police Department, Sergeant Michael
Lynch and Officers Kevin Flanagan, Jeffrey
7 Burke, Robert Lopez and Paul Christy



8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10
11 JOSE JAIME AGUILAR LOPEZ;
12 ELIZABETH AGUILAR; SUSAN
LOPEZ; Y.A., a minor; C.A., a
13 minor; E.A., a minor; B.A., a minor;
C.N.A., a minor; ANTONIO
14 ALONSO, Individually and as
Guardian Ad Litem for minor
children; CLAUDIA CARDENAS,

15 Plaintiffs,

16 v.

17 CITY OF ANAHEIM; CITY OF
18 ANAHEIM POLICE
DEPARTMENT; OFFICER KEVIN
19 FLANAGAN #480 (#A1128);
SERGEANT MICHAEL LYNCH
20 #S157 (#A0829); OFFICER
BURKE; OFFICER ROBERT
21 LOPEZ #672 (A1779); OFFICER
MARK BLAIS #584 (A1506);
22 OFFICER PAUL CHRISTY #184;
and DOES 1 through 10, Inclusive,

23 Defendants.

Case No.: SACV 13-1094 JLS (ANx)

Assigned to: Hon. Josephine L. Stanton
Dept.: 10A

**PROTECTIVE ORDER RE
CONFIDENTIAL INFORMATION**

Action Filed: July 19, 2013
Trial Date: October 21, 2014

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26 Based on the stipulation of all parties, through their respective attorneys of
27 record, and good cause appearing therefor, the Court hereby enters the following
28 protective order:

1 1. This Protective Order (“Order”) applies to and governs the use of
2 confidential police officer personnel and training materials which are being
3 produced to plaintiffs by defendant the City of Anaheim in this action. Plaintiffs
4 have requested copies of all personnel, training and discipline file(s) maintained
5 by the Anaheim Police Department (“APD”) for officers Kevin Flanagan,
6 Michael Lynch, Jeffrey Burke, Robert Lopez, and Paul Christy (collectively the
7 “Officers”). The Officers’ respective personnel files may contain information
8 regarding any complaints against the Officers, disciplinary charges, findings and
9 actions, and their respective personal backgrounds and contact information, all of
10 which has been generated or collected by the APD and thereafter maintained in
11 confidence. The Officers’ respective training files contain information
12 concerning the internal functioning of the APD which is also maintained in strict
13 confidence. Anaheim has invoked the official information privilege with respect
14 to the information contained in these materials (hereinafter referred to as
15 “Confidential Information”). The term Confidential Information includes the
16 information described above, and any documents containing such information.

17
18 2. Plaintiff’s counsel shall use the Confidential Information solely for
19 the purposes of this litigation, and shall not disclose any portion of the
20 Confidential Information to any other person, firm or corporation except:

21 A. Bona fide employees of counsel's law offices, and then only
22 to the extent necessary to enable said persons to assist in litigation of this
23 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 (E) above shall
2 not disclose any portion of said Confidential Information and shall not use any
3 information obtained therefrom except in conformance with this Order and for
4 purposes of this litigation. Any party who discloses Confidential Information to
5 any person described in paragraph 3 (A) through (D) shall advise such person
6 that said matters constitute Confidential Information which may be used only for
7 the litigation of this action, and shall, prior to disclosure of the Confidential
8 Information, have such person execute a written understanding and agreement to
9 be bound by the Stipulation for Protective Order in the form attached thereto.

10
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 Except By Court Order." Any party
14 that wishes to submit documents containing Confidential Information to the
15 Court shall comply with the provisions of Local Rule 79-5.1, including the filing
16 of a written application and a proposed order to obtain the Court's approval.
17 Materials containing Confidential Information may only be filed in the manner
18 prescribed by Local Rule 79-5.

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

25
26 6. Production of the Confidential Information protected by this Order
27 shall not constitute a waiver of any privilege or confidentiality or privacy right.
28 The parties retain the right to assert all substantive objections to the Confidential

1 Information, including but not limited to relevancy, hearsay, privacy, privilege,
2 and Rule 403 of the Federal Rules of Evidence.

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4 7. At the conclusion of this action, all documents containing
5 Confidential Information, all copies and extracts thereof, with the exception of
6 those documents affected by the attorney work-product doctrine or attorney-
7 client privilege, shall be returned to counsel for defendant Anaheim. As to those
8 documents protected by the attorney work-product doctrine or attorney-client
9 privilege, any and all such documents shall either be redacted and returned to
10 defendant Anaheim's counsel or shall be destroyed.

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14 **ORDER**

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16 **It is so ORDERED.**

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18 Dated: May 1, 2014

19 
20 Hon. Arthur Nakazato
21 United States Magistrate Judge

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