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

11 JASON BENJAMIN KARTEN, an
 12 individual,

13 Plaintiff,

14 vs.

15 CITY OF LOS ANGELES; LOS
 16 ANGELES POLICE DEPARTMENT;
 17 CITY OF LOS ANGELES AIRPORT
 POLICE; and DOES 1-10, both their
 individual & official capacities,

18 Defendants.

Case No. 8:18-cv-00593-AG-
 KES

DISCOVERY MATTER

**PROTECTIVE ORDER
 REGARDING DISCLOSURE
 OF CONFIDENTIAL
 INFORMATION**

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 20 Pursuant to the stipulation executed by Plaintiff and non-parties County of Los
 21 Angeles (“County”) and the Los Angeles Sheriff’s Department (“LASD”), and the
 22 good cause stated therein, the Court issues the following protective order:

23 **A. ITEMS COVERED BY THIS PROTECTIVE ORDER**

24 1. The protective order applies only to the following:

- 25 a. A Los Angeles County Consolidated Criminal History for Plaintiff
 26 Jason Benjamin Karten (CII #A11445575) but reflecting only the
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data and prior booking photograph(s) available as of July 30, 2017, 8:00 p.m.

b. A Los Angeles County Consolidated Criminal History for Michael Sammut (CII #A021293334) but reflecting only the data and prior booking photograph(s) available as of July 30, 2017, 8:00 p.m.

2. Should any person wish to stamp any of the above records as “CONFIDENTIAL” that person may not stamp the records in such a way as to cover any written portion of the records. The documents must remain completely legible.

3. If the documents contain photographs, a color copy of the photograph(s) should be produced.

B. USE OF RECORDS

1. The use and dissemination of the items listed in this Protective Order shall be limited to the prosecution and/or defense of claims in this lawsuit; shall not be disclosed to persons other than the parties’ counsel and their staffs, and consultants or experts retained by the parties in connection to this lawsuit. It is the responsibility of counsel for the parties to inform all persons who receive the documents of the contents of this order and its restrictions. If any of the documents are filed with the Court, the filing party must comply with L.R. 79-5 and file an application pursuant to L.R. 79-5.1 to file the papers – or the confidential portion there – under seal. All documents produced pursuant to this order, and any copies made of them, shall be returned to counsel for the County of Los Angeles at the conclusion of the litigation (entry of final judgment, appellate decision, or dismissal pursuant to a stipulation by the parties). If copies of the documents have counsel’s notes on them they may be destroyed, and a certification of destruction, signed by the party’s counsel under penalty of perjury, may be provided to counsel for the County of Los Angeles and filed with the Court within 45 days of the conclusion of the litigation in lieu of returning the documents.

1 2. Before a party disclose any item covered by this protective order, the party's
2 counsel shall any person identified in Paragraph 2 above, of the terms of the
3 protective order.

4 3. The Court hereby authorizes the County of Los Angeles to produce the
5 criminal history information set forth above, pursuant to California Penal Code
6 §§11105(h), 11140(b), 13300(i) and 13301(b).

7 4. Upon final determination of this action, whether by judgment, settlement or
8 otherwise, including all appeals, and upon the producing party's request, Plaintiff
9 shall return those items, along with all copies, to the producing party. Any messenger
10 or postage fees shall be paid by the requesting party. In the alternative, the producing
11 party may request the items be destroyed. This provision does not obligate the Court
12 to act in a certain matter in relation to the confidential documents.

13 5. If any party who receives items covered by this order receives a subpoena
14 or other request seeking the items, he, she or it shall immediately give written notice
15 to the counsel for the County and LASD, identifying the item(s) sought and the time
16 in which production or other disclosure is required, and shall object to the request or
17 subpoena on the grounds of this stipulation so as to afford the County and LASD an
18 opportunity to obtain an order barring production or other disclosure, or to otherwise
19 respond to the subpoena or other request for production or disclosure. Other than
20 objecting on the grounds of this stipulation, no party shall be obligated to seek an
21 order barring production of items covered by this order, which obligation shall be
22 borne by the County and LASD. However, in no event should production or
23 disclosure be made without written approval by counsel for the County and LASD
24 unless required by court order arising from a motion to compel production or
25 disclosure. Nothing in this order should be construed as authorizing or encouraging
26 a party to disobey a lawful directive from another court.

27 6. Any use of items covered by this order at trial, or in open court during
28 pretrial proceedings, shall be governed by the orders of the presiding judge.

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7. Nothing herein shall prejudice any party's rights to object to the introduction into evidence of any item covered by order, on any and all appropriate grounds including but not limited to relevance and privilege.

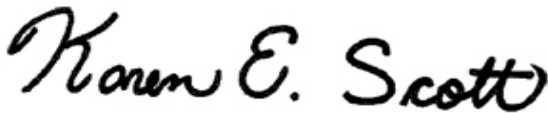
C. OTHER

1. This protective order shall not preclude any party or person from moving the court for other or further protective orders during this action.

2. This protective order is subject to amendment and modification by further stipulation among counsel and/or by order of the Court.

IT IS SO ORDERED.

DATED: September 26, 2018



HON. KAREN E. SCOTT
United States Magistrate Judge