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12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA
 14

15 ANDREWS FARMS, a California)
 partnership; and GREG PALLA, a sole)
 proprietor and doing business as GREG)
 16 PALLA FARMING COMPANY,)
 individually, and on behalf of all others)
 17 similarly situated,)

Case No. 1:07-CV-00464-LJO-SKO

STIPULATION AND ORDER FOR
 PROTECTIVE ORDER RE USE AND
 DISSEMINATION OF CONFIDENTIAL
 INFORMATION

18 Plaintiffs,)

19 v.)

20 CALCOT, LTD.; EADIE & PAYNE,)
 LLP; and DOES 1-50,)
 21)

22 Defendants.)

23 IT IS HEREBY ORDERED AS FOLLOWS:

24 1. All information produced during discovery, including all initial disclosures, during
 25 this action shall be used only for the purposes of: (i) preparation for, and use, at the trial of this
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1 action, including appeal; (ii) pre-trial and post-trial motions and proceedings in this action; or (iii)
2 confidential settlement communications or negotiations in this action.

3 2. Independently obtained information is not subject to this Protective Order. The
4 burden is on the party asserting that information was independently obtained to establish by clear
5 and convincing evidence that such information was, in fact, independently obtained. Nothing in
6 this Protective Order limits or undermines Calcot's ability to move to exclude evidence because
7 Calcot maintains it was not properly obtained.

8 3. Calcot's information may only be disclosed to the Plaintiffs, witnesses, prospective
9 witnesses, consultants or experts retained by Plaintiffs' counsel who are subject to the restrictions
10 of this protective order. The information disclosed to Plaintiffs, consultants and/or experts retained
11 by Plaintiffs' counsel shall not be used for any other purpose than (i) pre trial and post-trial motions
12 and proceedings in this action; (ii) the trial or appeal of this matter; or (iii) confidential settlement
13 communications or negotiations in this action and shall be immediately returned to Plaintiffs
14 counsel once it has been used for the proper purpose set forth above. Counsel for each party to this
15 action shall be responsible for ensuring that all persons and entities described in Paragraph 4 of this
16 Order who gain access to information are informed of the provisions of this Order and are subject
17 to this Order. Any person or entity to whom information is released, including counsel, shall sign
18 the Acknowledgment of Receipt of this Order attached hereto as Exhibit A. Each party's counsel
19 shall be responsible for ensuring the Acknowledgment of Receipt is executed in each instance and
20 shall maintain in his or her office an executed Acknowledgment of Receipt from each person to
21 whom confidential information has been disclosed and shall serve same on counsel for all other
22 parties. No notice of acknowledgment will need to be executed where the standard insurance
23 policies are forwarded to coverage counsel.

24 4. Upon final termination of this action, including all appeals, all confidential
25 information, including all copies and summaries, shall be destroyed or, at the request of producing
26 counsel, be returned, or retained by the receiving party as a confidential document subject to this

1 Protective Order. Each party responsible for such return or destruction shall certify to all other
2 counsel of record that such destruction or return in fact took place not later than 90 days after such
3 final termination of this action. However, counsel are not required to destroy legal memoranda or
4 opinion letters and other attorney-client privilege or work product documents that may contain
5 references to or information extracted from said documents, and all such memos and
6 correspondence may be retained in the attorney's files. Furthermore, confidential information that
7 was properly filed with or disclosed to the court in connection with motions, the trial of this matter,
8 or other proceedings in this matter, need not be returned to the producing party but shall be
9 destroyed.

10 5. In the event that Calcot issues a press release relating to this litigation, Plaintiffs
11 counsel shall have be entitled to use Calcot's information to refute or rebut the assertions or
12 contentions set forth in the press release.

13 6. The parties reserve the right to move to amend or modify this Protective Order with
14 the Court. Further, the parties reserve the right to challenge with the Court the appropriateness of
15 any information or document under this Protective Order.

16 7. This Protective Order does not apply to communications with the Class that are
17 approved by the Court. (E.g., and without limitation, (Class Notice)). The parties' recourse shall
18 be to raise those issues, including any objections, with the Court in connection with such notice or
19 other publication of information.

20 Dated: June 8, 2010

LAW OFFICES OF RALPH B. WEGIS

21 By /s/ Barry Rosenberg
22 MICHAEL STUMP,
23 BARRY ROSENBERG,
24 Attorneys for Plaintiffs,
25 ANDREW FARMS and
26 GREG PALLA, dba
GREG PALLA FARMING
COMPANY

1 Dated: June 8, 2010

GRISWOLD, LASALLE, COBB,
DOWD & GIN, LLP

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By /s/ Michael R. Johnson
MICHAEL R. JOHNSON,
Attorneys for Defendants,
CALCOT, LTD., and
ROBERT W. NORRIS

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7 IT IS SO ORDERED.

8 Dated: June 8, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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ATTACHMENT "A"

VERIFIED ACKNOWLEDGMENT

I, the undersigned, do hereby declare:

1. I have read the Protective Order in the subject lawsuit regarding Calcot's documents and have been apprised of its terms by _____, attorney(s) for _____.

2. I hereby agree to abide by the terms of said Order. I declare under penalty of perjury under the laws of the State of _____ that the foregoing is true and correct and that this Verified Acknowledgment is executed on _____, 20____, at _____, _____.

Name: _____