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11 MANUELA CANCINO CONTRERAS
12 MORALES and R.A.M., a minor

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**

15 MANUELA CANCINO CONTRERAS
16 MORALES; R.A.M.;

17 Plaintiffs,

18 vs.

19 CITY OF DELANO; MARK P. DEROSIA;
20 JOSE MEJIA; SHAUN MANUELE; and DOES
21 1 through 50, inclusive,

22 Defendants.

CASE NO. 1:10-cv-1203-AWI-JLT

**ORDER GRANTING IN PART AND
DENYING IN PART STIPULATED
PROTECTIVE ORDER REGARDING
PHOTOGRAPHS AND AUDIO CD OF
AUTOPSY**

(Doc. 34)

23 **TO ALL INTERESTED PARTIES AND THEIR COUNSEL OF RECORD:**

24 The parties having stipulated thereto and good cause appearing therefor,

25 **IT IS HEREBY ORDERED:**

26 1. All documents produced by the County of Kern in response to Plaintiff Manuela
27 Cancino Morales' September 28, 2009 subpoena requesting:

28 "1) The 14 photographs of the deceased, Mr. Ruben Mesa Morales that were listed
but not provided pursuant to the January 5, 2010 letter from Barry M. Klein,
Supervising Deputy District Attorney to Mark Pachowicz, and

2) The Audio CD of Autopsy photographs of the deceased, Mr. Ruben Mesa

1 Morales, that was listed but not provided pursuant to the January 5, 2010 letter
2 from Barry M. Klein, Supervising Deputy District Attorney, to Mark Pachowicz”,
3 (collectively, the documents/items contained in #1 and # 2 are referred to as “the
4 records”)

5 Shall be subject to the following orders:

- 6 a. The records shall not be copied or disseminated outside of any attorney’s
7 office except for review by retained experts or parties to this action.
- 8 b. The only persons who shall be authorized to view the records will be the
9 involved attorneys, the attorneys’ office staff, retained experts and/or parties
10 to this action and the Court and Court staff.
- 11 c. The contents of the records shall not be discussed with or disseminated to,
12 either verbally or in any written form, any person that is not one of the
13 involved attorneys, the attorneys’ office staff, retained experts and/or parties
14 to this action and the Court and Court staff.
- 15 d. The records shall not be provided to the news media directly or indirectly in
16 any form.
- 17 e. The records shall only be utilized in connection with this litigation and for no
18 other purpose.
- 19 f. At the conclusion of this litigation, all records produced and any copies
20 thereof, including exhibits to depositions, shall be returned to the offices of
21 Kern County Counsel.
- 22 2. All personal information incorporated in the records, including but not limited to
23 home addresses, phone numbers, birth dates and relatives’ names, may be redacted.
24 If the redacted portion is subsequently determined by this court or by stipulation to be
25 relevant, the non-redacted relevant material will be produced.
- 26 3. Any person or persons violating this Order shall be subject to sanctions and costs of
27 motion.
- 28 4. Any requests to the Court to seal the records must be made pursuant to Local Rule

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5. Nothing contained herein precludes the Court from making a determination about the admissibility of the records at the appropriate time.

IT IS SO ORDERED.

Dated: February 23, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE