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

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

DOUGLAS ABDON, DAVID AGBAYANI,
PACITA AGUSTIN, MANUELA ANINION,
MELCHOR APOSTOL, ANGELITA
BALIGAD, NENA BALLESTEROS,
FERDINAND BARACEROS, MARIA
BUSTO, BELEN CABBAB MICHELLE
CABBAB, FELY CACAL, NORMI CACAL,
ERLINDA CAMOTUYA, ESTHER
CASABAR, NORA CASIMIRO, ELNORA
CAYME, GINA CORREA, ARMELIZA
DELA CRUZ, ESTER DELOS SANTOS,
HILDA DUCUSIN, AIDA ESTRELLA,
FLORENTINA FAILANO, EDUARDO
FRIAL, CONSOLACION GALAFTE,
JOVENA GALLEGOS, LUZ GALLEGOS,
TOMASA GUMALLAOI, MELINDA INTOC,
CALIXTO LAMUG, WILMA LAMUG,
ANIELYN MANALASTAS, ROME

Case No.: 1:10-CV-01492-LJO-JLT

**STIPULATION AND PROTECTIVE
ORDER REGARDING
“CONFIDENTIAL” INFORMATION OR
DOCUMENTS**

1 MANALASTAS, MARIBELLE MANANKIL,
2 SOL MANAOIS, ELIZABETH MATIAS,
3 CRISTINA NELMIDA, NELSON NISPEROS,
4 VENUS PAGSUBERON, PRISCILLA
5 PENALOSA, EVANGELINE PICATO, JOSE
6 PIRA, FEDERICO QUINIONES, NANNETTE
7 QUINO, TERESITA RAFANAN, MELANIE
8 REFUERZO, MARILOU RIOLA, MARIA
9 TERESA SOLANO, NECITA TABAJONDA,
10 MYRNA TORRES, ELENA VILLAMOR,
11 AND ROMEO VILLAMOR.

12 Plaintiff-Intervenors

13 v.

14 CENTRAL CALIFORNIA FOR HEALTH
15 d/b/a DELANO REGIONAL MEDICAL
16 CENTER; AND DELANO HEALTH
17 ASSOCIATES, INC., and DOES 1 through 15,
18 inclusive,

19 Defendants.

20 **STIPULATION**

21 Plaintiff United States Equal Employment Opportunity Commission (“EEOC” or
22 “Plaintiff”), Plaintiffs’-In-Intervention, and Defendants Central California For Health and
23 Delano Health Associates, Inc. (“Defendants”), through their respective counsel of record,
24 hereby stipulate as follows pursuant to Fed. R. Civ. P. 26(c) as follows:

25 1. **Confidential Information**

26 For the purposes of this protective order, “confidential” information is information and
27 documents which reveal the following information about Defendants’ current or former
28 employees: (1) social security number; (2) current address and telephone number; (3) individual
compensation information; (4) employee performance reviews and appraisals; (5) employment
applications; and (6) information regarding discipline of employees.

1 2. Use of Confidential Information and Documents

2 a. The parties agree that “confidential” information and documents
3 containing “confidential” information shall only be used for a purpose related to the prosecution
4 and/or defense of the litigation of this action. The only individuals entitled to review such
5 documents produced shall be counsel for the parties and members of counsel’s staff; any
6 consultants retained by any party’s counsel, the Court and Court staff; and any experts retained
7 by any party’s counsel. With respect to employee disciplinary matters and performance ~~appraisals~~
8 appraisals and reviews, a person who was the subject of the employee discipline or performance
9 appraisal, and those who were the authors of a document, and those who edited or the
10 editors/reviewers of such a documents, may be shown a copy of ~~such~~ the document. With regard
11 to witnesses or ~~whose~~ those who provided statements for purposes of employee disciplinary
12 matters, such individuals shall be permitted to review their ~~own~~ own statement, or summaries of
13 their statements and observations, if authored by another person. There shall be no disclosure
14 of privileged documents or confidential information to any Charging Party who is covered within
15 this action, or ~~shall there be~~ any disclosure to any Plaintiff in Intervention, except as set forth
16 here.

17 b. To the extent that “confidential” information or documents containing
18 “confidential” information are used in connection with pleadings filed with the Court, then ~~such~~
19 ~~“confidential” information~~ they shall be redacted in accordance with Fed. R. Civ. P. 5.2 and
20 Local Rule 140. Should a party seek to file a “confidential document” or record containing
21 “confidential information,” the party SHALL comply with Local Rules 141 and 141.2.

22 3. The parties enter into this stipulated Protective Order without prejudice to any
23 party’s right to object to the disclosure of any information on any ground that it may deem
24 appropriate, and any party or non-party may, upon motion, seek relief from, or modification of
25 this Protective Order on a showing of good cause.

26 4. If any party discovers that any confidential document or confidential information
27 subject to this protective order is improperly disclosed to any person other than in the manner
28 authorized by this Protective Order, the party making such discovery shall immediately inform

1 the other parties of all pertinent facts relating to such disclosure, including the name and address
2 of each person to whom disclosure was made, and shall make reasonable efforts to prevent
3 disclosure by said authorized person(s).

4 5. All parties agree that prior to commencement of trial they will in good faith
5 attempt to enter into mutually agreeable stipulations and protective orders with respect to any
6 confidential information and confidential documents which are subject to this protective order
7 where there is desire on the party of a party to have such information disclosed during trial. Any
8 unresolved disputes shall be resolved in accordance with the applicable Federal Rules of Civil
9 Procedure, ~~and~~ Federal Rules of Evidence and/or the Court's pretrial order. Any party intending
10 to utilize any confidential information or documents subject to this protective order in a law and
11 motion matter or at trial SHALL comply with Local Rules 141 and 141.2.

12 6. All parties to this Protective Order have had an opportunity to participate in
13 drafting this Order.

14 7. Nothing in this Order should be construed to prohibit the EEOC from disclosing
15 the information if required by Congress or other governmental entities or to interfere with
16 EEOC's statutory law enforcement and investigative activities.

17
18 IT IS SO STIPULATED:

19 Dated: _____

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

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21 By: _____

22 Peter F. Laura
23 Attorneys for Plaintiff
24 U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

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26 Dated: _____

ASIAN PACIFIC AMERICAN
LEGAL CENTER

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28 By:

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Carmina Ocampo
Attorneys for Plaintiffs-In- Intervention
DOUGLAS ABDON, et.al.

Dated: _____

CLIFFORD & BROWN

By: _____
Robert D. Harding

Attorneys for Defendant
CENTRAL CALIFORNIA FOUNDATION FOR
HEALTH d/b/a DELANO REGIONAL MEDICAL
CENTER

PROTECTIVE ORDER

FOR GOOD CAUSE SHOWN, the Court ORDERS the protective order submitted by
the parties and as modified by the Court, into effect.

IT IS SO ORDERED.

Dated: **September 19, 2011**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE