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7 Attorneys for Defendant, COUNTY OF KINGS

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

10
11 DAVID L. DAVIS,) CASE NO. 1:10-CV-01953-AWI-SMS
12 Plaintiff,)
13 v.) **STIPULATED PROTECTIVE ORDER**
14 KINGS COUNTY PROBATION and DOES) **REGARDING PLAINTIFF’S TAX**
1 to 50 inclusive,) **RETURNS**
15 Defendants.)
16 _____)

17 WHEREAS, Defendant has sought discovery of documents supporting Plaintiff’s claims of
18 wage loss or earning capacity loss, the parties hereby stipulate to the production of Plaintiff’s
19 income tax returns which support such claim.

20 IT IS HEREBY STIPULATED, by, among and between the parties hereto through their
21 counsel of record that any portions of the documents described above are subject to the following
22 Protective Order:

23 1. The disclosed documents shall be used solely in connection with the civil case of
24 *David L. Davis v. Kings County Probation*, filed in the United States District Court, Eastern District
25 of California, Case No. 1:10-CV-01953 AWI SMS, in the preparation and trial of this case, or any
26 related proceeding, and not for any other purpose or in any other litigation.

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- 1 2. The documents may only be disclosed to the following persons:
- 2 a) Counsel and the parties to this action;
- 3 b) Paralegal, clerical, and secretarial personnel regularly employed by counsel
- 4 referred to in subpart (a) directly above, including stenographic deposition reporters retained in
- 5 connection with this action;
- 6 c) Court personnel including stenographic reporters engaged in proceedings as
- 7 are necessarily incidental to the preparation for the trial of the civil action;
- 8 d) Any expert or consultant retained in connection with this action;
- 9 e) The finder of fact at the time of trial subject to the court's rulings on in limine
- 10 motions and objections of counsel.

11 3. This Protective Order is without prejudice to the right of any party to oppose

12 production or inadmissibility of documents or information for any legal reason.

13 4. Each person to whom disclosure is made with the exception of counsel, who are

14 presumed to know the contents of this Protective Order shall, prior to the time of disclosure, be

15 provided by the person furnishing him or her such material, a copy of the Protective Order. Such

16 person must consent to be subject to the jurisdiction of the United States District Court, Eastern

17 District of California, with respect to any proceeding related to enforcement of this Protective

18 Order, including without limitation, any proceeding for contempt. Provisions of this Protective

19 Order, insofar as they restrict disclosure and use of the material, shall be in effect until further order

20 of this Court.

21 5. After the conclusion of this litigation, all documents, in whatever form stored or

22 reproduced, containing information received pursuant to the provisions of this Protective Order will

23 remain confidential. The conclusion of this litigation means a termination of the case following

24 applicable post-trial motions, appeal and/or retrial. After the conclusion of this litigation, all

25 confidential documents received under the provisions of this Protective Order, including copies

26 made, shall be destroyed, or tendered back to the attorneys for plaintiff David L. Davis.

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Respectfully submitted,

DATED: January 4, 2012

WEAKLEY & ARENDT, LLP

By: /s/ James J. Arendt
James J. Arendt
Michelle E. Sassano
Attorneys for DEFENDANT COUNTY OF KINGS

DATED: January 4, 2012

GUBLER, KOCH, DEGN & GOMEZ, LLP

By: /s/ Thomas W. Degn
Thomas W. Degn
Attorneys for PLAINTIFF DAVID L. DAVIS

IT IS SO ORDERED.

Dated: January 10, 2012

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE