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 10 C.M.R.

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

15 PAMELA FOX, ON BEHALF OF
 16 HERSELF AND AS NEXT FRIEND TO
 C.M.R., A MINOR.

Case No.: 1:11-CV-00520-AWI-SMS

17 Plaintiffs,

**STIPULATION AND ORDER
 REGARDING *IN CAMERA* REVIEW
 OF PERSONNEL FILE OF CLYDE
 TILLERY**

18 vs.

19 COUNTY OF TULARE, LETICIA
 20 CASTANEDA, ERICA SOTO, RONALD
 21 CASTANEDA, JULIA LANGLEY,
 CAROL HELDING, JOHN ROZUM,
 22 STEVEN ROGERS and DOES 1 - 100,

Judge: Hon. Sandra M. Snyder
Date:
Time:
CrtRm:

TRIAL DATE: Mar. 25, 2014

23 Defendants.
 24 _____/

25 It is hereby stipulated between the parties that:

- 26 1. Plaintiffs have subpoenaed personnel records from the City of Porterville pertaining to
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an individual identified by Defendant County in its Rule 26 disclosure, Mr. Clyde Tillery.

2. The City of Porterville has asserted the official information privilege, which is a qualified privilege. On agreement with the City of Porterville, the disciplinary records of Clyde Tillery resulting in his termination by the City of Porterville, may be submitted by the City of Porterville, Personnel Department, to the Court for *in camera* review in response to Plaintiff's Subpoena for said records.
3. For the purpose of release of those records, Plaintiffs, respectfully, request that the Court review said records to determine if the records are relevant on the issue of credibility and if the parties' interest in discovery of the records outweighs the interest in maintaining confidentiality.
4. If the Court orders the release of any records pursuant to this stipulation, the parties agree that use of the information is limited to use in the above entitled action, to the parties in this action, their attorneys of record, and to any experts or investigators employed by said attorneys. The records shall be divulged to no other persons or entities, including the media, except as necessary in the presentation of evidence in the trial of the above entitled action.

Dated: July 24, 2013

/s/ Michael Maurer
Michael Maurer, Deputy City Attorney,
City of Porterville, Ca.

Dated: July 24, 2013

/s/ Michael G. Woods
Michael G. Woods, Attorney for County of Tulare,
Julia Langley, Carol Holding, John Rozum

1 Dated: July 24, 2013

2 /s/ Leslie M. Dillahunty
3 Leslie M. Dillahunty, Attorney for Leticia Castaneda,
4 Ronald Castaneda, Erica Soto

5 Dated: July 24, 2013

6 /s/ Seth L. Goldstein
7 Seth L. Goldstein, Attorney for Pamela Fox, C.M.R.

8 **GOOD CAUSE APPEARING,
9 IT IS SO ORDERED.**

10 Dated: July 25 , 2013

11 /s/ SANDRA M. SNYDER
12 UNITED STATES MAGISTRATE JUDGE