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4 UNITED STATES DISTRICT COURT  
5 FOR THE EASTERN DISTRICT OF CALIFORNIA

6 DOMINIC HANNA,  
7 Plaintiff,

Case No. 1:14-cv-00142 LJO/SKO

STIPULATION TO PROTECTIVE  
ORDER OF INDEPENDENT MENTAL  
EXAMINATION OF PLAINTIFF  
HANNA

8 vs.

9 COUNTY OF FRESNO, *et al.*,

10 Defendants.

11 Subject to the approval of this Court, the parties, defendants by and through  
12 counsel Carey Johnson and Michelle Pepper, and plaintiff through his counsel of record  
13 Robert Navarro and Carolyn Phillips, hereby stipulate to the following protective order  
14 regarding the INDEPENDENT MENTAL EXAMINATION of Plaintiff Hanna by Dr.  
15 Alan A. Abrams. All psychological tests, mental health assessment, notes, video,  
16 reports, and all responses by plaintiff Hanna are confidential material which are  
governed by this PROTECTIVE ORDER.

17 1) Access to the Independent Mental Examination of Dominic Hanna by Dr.  
18 Alan A. Abrams, including all notes of Dr. Abrams, test results, video tape of the  
19 examination, and any and all responses of Dominic Hanna to the examination,  
20 including psychiatric records and reports, may be disclosed or made available only to  
21 the Court, to counsel for a party (including the paralegal, clerical, and secretarial staff  
22 employed by such counsel), and to the "qualified person" designated below:  
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1 a) Fresno County Risk Management on behalf of the Fresno County  
2 Board of Supervisors;

3 b) experts, consultants, psychologists, psychiatrists, or other health  
4 care professionals retained by such counsel to assist in the prosecution, defense, or  
5 settlement of this action;

6 c) court reporter(s) employed in this action;

7 d) a witness at any deposition or other proceeding in this action; and

8 e) any other person as to whom the parties in writing agree.

9 2) Each “qualified person” to whom disclosure of the confidential material is  
10 made shall prior to the time of disclosure be provided by the person furnishing such  
11 materials a copy of this Order, and shall execute a nondisclosure agreement in the form  
12 of Attachment A, to be maintained by counsel.

13 3) Depositions shall be taken only in the presence of qualified persons.

14 4) If any of the materials subject to this protective order are included in any  
15 papers to be filed in Court, such papers shall be labeled “Confidential – Subject to Court  
16 Order” and filed under seal until further order of this Court.

17 5) In the event that any of the above-described confidential material is used  
18 in any court proceeding in this action, it shall not lose its confidential status through  
19 such use, and the party using such shall take all reasonable steps to maintain its  
20 confidentiality during such use.

21 6) Nothing in this Order nor the production of any information or document  
22 under the terms of this Order nor any proceedings pursuant to this Order shall be  
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1 deemed to have the effect of an admissions or waiver by either party or of altering the  
2 confidentiality or nonconfidentiality of any such document or information or altering  
3 any existing obligation of any party or the absence thereof.

4 7) Upon termination of this case, counsel for the parties shall assemble all  
5 protected records, all deposition transcripts, and all copies of same, and destroy these  
6 documents. Each party shall certify the destruction thereof.

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8 **ATTACHMENT A**  
9 **NONDISCLOSURE AGREEMENT**

10 I, do solemnly swear that I am fully familiar with the terms of  
11 the Stipulated protective Order entered in *Hanna v. The County of Fresno, et. al.*, United  
12 States District Court for the Eastern District of California, Case No. 1:14-cv-00142  
13 LJO/SKO, and hereby agree to comply with and be bound by the terms and conditions  
14 of said Order unless and until modified by further Order of this Court. I hereby consent  
15 to the jurisdiction of said Court for purposes of enforcing this Order.

16 Dated:

17  
18 /s/  
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20 **IT IS SO STIPULATED:**

21 Dated: January 6, 2016

22 ROBERT NAVARRO  
23 CAROLYN D. PHILLIPS

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By: /s/ Carolyn D. Phillips  
Carolyn D. Phillips  
Attorneys for Plaintiff  
DOMINIC HANNA

Dated: January 6, 2016

STAMMER, McKNIGHT, BARNUM &  
BAILEY

By: /s/ Carey Johnson  
CAREY JOHNSON  
Attorneys for Defendants COUNTY OF  
FRESNO, MARGARET MIMS,  
EDWARD MORENO, PRATAP  
NARAYEN, RICK HILL, MARILYNN  
WELDON, TRICIA NEKOLA, KAREN  
NUNEZ, and THAYIN VU

**ORDER**

Pursuant to the parties' stipulation, the terms of the above protective order are approved.

IT IS SO ORDERED.

Dated: January 7, 2016

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE