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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

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12 ELAINE K. VILLAREAL,) CASE NO. 1:15-cv-01410-DAD-EPG
13 Plaintiffs,)
14 vs.) STIPULATED PROTECTIVE ORDER
15) AUTHORIZING LIMITED DISCLOSURE
16 COUNTY OF FRESNO and SHERIFF) OF CONFIDENTIAL RECORDS
MARGARET MIMS,)
17 Defendants.) Complaint Filed: September 17, 2015
Trial Date: November 10, 2020

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19 IT IS STIPULATED by and between the parties that certain County of Fresno Sheriff's
20 Department documentation, specifically relevant portions of the Jail Policy and Procedures
21 Manual and certain personal information pertaining to individuals housed with the plaintiff
22 during those times relevant to her complaint, may be disclosed to the Jeff Dominic Price,
23 attorney for the plaintiff, Elaine K. Villareal, and the law firm of Weakley & Arendt, A
24 Professional Corporation, attorneys for the County of Fresno and Sheriff Margaret Mims, in the
25 civil case of *Elaine K. Villareal v. County of Fresno, et al.*, United States District Court, Eastern
26 District of California, Case No. 1:15-cv-01410-DAD-EPG. As was discussed at the discovery
27 dispute conference of February 8, 2019, held at 3:00 p.m., and as concluded by the Court after
28 considerable discussion and argument, the portions of the Jail Policy and Procedure Manual are

1 to be produced pursuant to a protective order due to safety concerns, both for correctional staff
2 and for those individuals housed at the jail, should those policies and procedures be made
3 public. As the Court additionally concluded, the personal information pertaining to individuals
4 who are not parties to the subject litigation involves sensitive matters which should not be
5 disclosed or otherwise made available to the public.

6 **PROTECTIVE ORDER**

7 1. The disclosed documents shall be used solely in connection with the civil case of
8 *Elaine K. Villareal v. County of Fresno, et al.*, United States District Court, Eastern District of
9 California, Case No. 1:15-cv-01410-DAD-EPG, in the discovery and trial of this case, or any
10 related proceeding, and not for any other purpose or in any other litigation.

11 2. The documents may only be disclosed to the following persons:

12 a) counsel for the parties and all parties to this action;

13 b) paralegal, clerical, and secretarial personnel regularly employed by counsel
14 referred to in subpart (a) directly above, including stenographic deposition reporters retained in
15 connection with this action;

16 c) court personnel including stenographic reporters engaged in proceedings as
17 are necessarily incidental to the preparation for the trial of the civil action;

18 d) any expert, consultant or investigator, either non-retained or retained, in
19 connection with this action;

20 e) witnesses other than plaintiff may have the documents disclosed to them in
21 preparation for trial as deemed necessary by counsel, including disclosure in connection with
22 investigation, discovery proceedings, law and motion matters, arbitration, and/or trial only; the
23 witnesses may not leave the deposition, arbitration or trial with copies of the documents, and
24 shall be bound by the provisions of paragraph 3. Any documents attached to a deposition
25 transcript will be attached under seal.

26 f) the finder of fact at the time of trial subject to the court's rulings on in limine
27 motions and objections of counsel.

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1 3. Each person to whom disclosure is made with the exception of counsel, who are
2 presumed to know the contents of this protective order shall, prior to the time of disclosure, be
3 provided by the person furnishing him or her such material, a copy of the Protective Order.
4 Each person to whom disclosure is made shall agree on the record or in writing that he/she has
5 read the Protective Order and he/she understands the provisions of that Order. Such person
6 must also consent to be subject to the jurisdiction of the United States District Court, Eastern
7 District of California, with respect to any proceeding related to enforcement of this Order,
8 including without limitation, any proceeding for contempt. Provisions of this Order, insofar as
9 they restrict disclosure and use of the material, shall be in effect until further order of this Court.

10 4. Any confidential document subject to this Protective Order that is attached as an
11 exhibit to a deposition shall be done so under seal and identified as confidential.

12 5. At the conclusion of this litigation, all confidential documents received under the
13 provisions of this Order, including copies made, shall be destroyed, or tendered back to the
14 agency or department from which they were obtained. The conclusion of this litigation means a
15 termination of the case following applicable post-trial motions, appeal and/or retrial.

16 DATED: October 25, 2019

17 By: /s/ Jeff Dominic Price
18 Jeff Dominic Price, attorney for
19 Plaintiff, Elaine K. Villareal

20 DATED: October 25, 2019

WEAKLEY & ARENDT
A Professional Corporation

21 By: /s/ Leslie M. Dillahunty
22 Leslie M. Dillahunty attorneys for
23 County of Fresno and Sheriff Margaret Mims

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ORDER

IT IS ORDERED that the parties' Stipulated Protective Order Authorizing Limited Disclosure of Confidential Records (ECF No. 153) is APPROVED.

IT IS SO ORDERED.

Dated: October 28, 2019

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE