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9 Attorneys for Defendants, COUNTY OF FRESNO, also erroneously separately sued as  
10 FRESNO COUNTY SHERIFF'S DEPARTMENT, and FRESNO COUNTY SHERIFF'S  
11 OFFICER HERNANDEZ

12 UNITED STATES DISTRICT COURT  
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 TRICIA NEWMAN, ) CASE NO. 1:16-cv-01099-DAD-MJS  
15 Plaintiff, )  
16 vs. ) STIPULATED PROTECTIVE ORDER  
17 ) AUTHORIZING LIMITED DISCLOSURE  
18 ) OF CONFIDENTIAL RECORDS  
19 )  
20 ) Complaint Filed: July 29, 2016  
21 ) Trial Date: December 5, 2017  
22 )  
23 ) **Public Entity Exempt from Filing Fees**  
24 ) **Pursuant to Government Code section**  
25 ) **6103**  
26 )  
27 )  
28 ) Defendants. )

IT IS STIPULATED by and between the parties that certain County of Fresno Sheriff's Department documentation and/or training materials pertaining to encountering animals, including dogs, which is provided to its sheriff's deputies, may be disclosed to the Ryther Law Group, attorneys for the plaintiff, Trish Newman, and the law firm of Weakley & Arendt, LLP, attorneys for the County of Fresno, erroneously separately sued as the Fresno County Sheriff's Department, and Fresno County Sheriff's Deputy Michael Hernandez, in the civil case of *Trisha Newman v. County of Fresno, et al.*, United States District Court, Eastern District of California, Case No. 1:16-cv-01099-DAD-MJS.

1 It is further ordered that disclosure of the documentation, as well as deposition and trial  
2 testimony will be pursuant to the following Protective Order:

3 **PROTECTIVE ORDER**

4 1. The disclosed documents shall be used solely in connection with the civil case of  
5 Trisha Newman v. County of Fresno, et al., United States District Court, Eastern District of  
6 California, Case No. 1:16-cv-01099-DAD-MJS, in the discovery and trial of this case, or any  
7 related proceeding, and not for any other purpose or in any other litigation.

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

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

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

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

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

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

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

25 3. Each person to whom disclosure is made with the exception of counsel, who are  
26 presumed to know the contents of this protective order shall, prior to the time of disclosure, be  
27 provided by the person furnishing him or her such material, a copy of the Protective Order.  
28 Each person to whom disclosure is made shall agree on the record or in writing that he/she has

1 read the Protective Order and he/she understands the provisions of that Order. Such person  
2 must also consent to be subject to the jurisdiction of the United States District Court, Eastern  
3 District of California, with respect to any proceeding related to enforcement of this Order,  
4 including without limitation, any proceeding for contempt. Provisions of this Order, insofar as  
5 they restrict disclosure and use of the material, shall be in effect until further order of this Court.

6 4. Any documents filed with the court subject to this protective order shall be filed  
7 under seal and marked as follows: "CONFIDENTIAL RECORDS SUBJECT TO  
8 PROTECTIVE ORDER." Such documents shall be kept by the Court under seal and made  
9 available only to the Court or counsel. It is the responsibility of the attorney filing the  
10 documents to ensure compliance with the provisions set forth above.

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

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

17 DATED: April 3, 2017

RYTHER LAW GROUP, LLP

18  
19 By: /s/ Jill Ryther  
20 Jill Ryther, attorneys for  
21 Plaintiff, Trisha Newman

22 DATED: April 3, 2017

WEAKLEY & ARENDT, LLP

23 By: /s/ James D. Weakley  
24 Leslie M. Dillahunty attorneys for  
25 County of Fresno, erroneously separately  
26 sued as the Fresno County Sheriff's Department,  
27 and Sheriff's Deputy Michael Hernandez  
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**ORDER**

Good cause appearing, the above Stipulated Protective Order in Case No. 1:16-cv-01099-DAD-MJS is accepted and its terms adopted as the Order of this Court.

IT IS SO ORDERED.

Dated: April 4, 2017

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE