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17 Attorneys for Plaintiff
JUAN TREVINO

19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA

21 JUAN TREVINO, an individual, on behalf of
22 himself and all others similarly situated,

23 Plaintiff,

24 vs.

25 GOLDEN STATE FC, LLC, a Delaware
26 Limited Liability Company; AMAZON.COM,
INC., a Delaware Corporation, and DOES 1
27 through 10,

28 Defendants.

Case No. 1:18-cv-00120-DAD-MJS

**[PROPOSED] STIPULATED FEDERAL
RULE OF EVIDENCE 502(D) ORDER**

Complaint Filed: July 12, 2017

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Juan Trevino on
2 behalf of himself and all others similarly situated (“Plaintiff”) and Defendants Golden State FC
3 LLC and Amazon.com, Inc. (“Defendants”) (collectively, the “Parties”), by and through their
4 respective counsel of record, in order to allow the Parties to respond to discovery expeditiously
5 while limiting discovery costs, hereby stipulate for an order pursuant to Federal Rule of Evidence
6 502(d) that states:

7 Pursuant to Federal Rule of Evidence 502(d), neither the attorney-client privilege nor the
8 work product protection is waived by disclosure of such information in this litigation. The
9 production of privileged or work product protected documents, whether in electronically stored
10 information or other materials, is not a waiver of the privilege or protection in this case or in any
11 other federal or state proceeding. If any privileged or work product protected documents are
12 produced, the party receiving produced documents (“Receiving Party”) shall, at the request of the
13 party producing those documents (“Producing Party”), promptly return such documents (and all
14 copies thereof), including all later created excerpts, summaries, compilations, and other
15 documents or records that include, communicate, or reveal the information claimed to be
16 privileged or protected. A Receiving Party who receives a document that it knows or reasonably
17 should know is privileged shall notify the Producing Party within 3 business days of discovery of
18 the document.

19 Nothing in this Order overrides any attorney’s ethical responsibilities to refrain from
20 examining or disclosing materials that the attorney knows or reasonably should know to be
21 privileged and to inform the Producing Party that such materials have been produced.

22 Nothing in this Order is intended to or shall serve to limit a party’s right to conduct a
23 review of documents, ESI or information (including metadata) for relevance, responsiveness
24 and/or segregation of privileged and/or protected information before production.

25 The provisions of Federal Rule of Evidence 502(b)(2) are inapplicable to the production
26 of protected information under this Order.

27 This Order shall be interpreted to provide the maximum protection allowed by Federal
28 Rule of Evidence 502(d).

1 The obligations imposed by this Rule 502(d) Order shall survive the termination of this
2 action.

3 **IT IS SO STIPULATED.**

4
5 Dated: March 12, 2018 PETER R. DION-KINDEM, P.C.

6
7 By /s/ Peter R. Dion-Kindem

8 Peter R. Dion-Kindem
9 Attorney for Plaintiff
10 JUAN TREVINO

11 Dated: March 12, 2018 MORGAN, LEWIS & BOCKIUS LLP

12 By /s/ Roberta H. Kuehne

13 Barbara J. Miller
14 Roberta H. Kuehne
15 Joel M. Purles
16 Attorneys for Defendants
17 GOLDEN STATE FC LLC and AMAZON.COM, INC.

18 I attest that I have obtained Peter R. Dion-Kindem's concurrence in the filing of this
19 document.

20 /s/ Roberta H. Kuehne

21 Roberta H. Kuehne

22 **PURSUANT TO STIPULATION,**

23 **IT IS SO ORDERED.**

24 Dated: March 12, 2018

25 /s/ Michael J. Seng

26 UNITED STATES MAGISTRATE JUDGE