

1 James D. Weakley, Esq. Bar No. 082853  
2 Brande L. Gustafson, Esq. Bar No. 267130  
3 WEAKLEY & ARENDT  
4 A Professional Corporation  
5 5200 N. Palm Avenue, Suite 211  
6 Fresno, California 93704  
7 Telephone: (559) 221-5256  
8 Facsimile: (559) 221-5262  
9 Jim@walaw-fresno.com  
10 Brande@walaw-fresno.com

11 Attorneys for Defendants, Robert Carbone, Gregg  
12 Bresson, and Ray Lopez

13 UNITED STATES DISTRICT COURT  
14 EASTERN DISTRICT OF CALIFORNIA

15 VICENTE BENAVIDES FIGUEROA,

16 Plaintiff,

17 vs.

18 KERN COUNTY; CITY OF DELANO;  
19 ROBERT CARBONE; GREGG  
20 BRESSON; RAY LOPEZ; ALFONSO  
21 VALDEZ; ESTATE OF JEFFREY  
22 NACUA; SARAH GARCIA NACUA;  
23 DR. JAMES DIBDIN; AND DOES 1–10,  
24 INCLUSIVE,

25 Defendants.

Case No. 1:19-cv-00558-DAD-BAK (SKO)

**STIPULATED AMENDMENT TO  
PROTECTIVE ORDER; ORDER**

**(Doc. 71)**

26 Plaintiff VICENTE BENAVIDES FIGUEROA and Defendants, KERN COUNTY;  
27 CITY OF DELANO; ROBERT CARBONE; GREGG BRESSON; RAY LOPEZ; ALFONSO  
28 VALDEZ; ESTATE OF JEFFREY NACUA; SARAH GARCIA NACUA; and DR. JAMES  
DIBDIN (“the Parties”) hereby enter an amendment to the stipulated protective order (Doc. No.  
48) issued on April 9, 2021 to facilitate disclosure of confidential discovery materials in this  
case.

STIPULATED AMENDMENT TO PROTECTIVE ORDER; ORDER

1 The Parties in good faith believe that the additional identified documents relevant to the  
2 above-captioned case qualify for protection under Federal Rule of Civil Procedure 26(c),  
3 including information that is (a) confidential, sensitive, or potentially invasive of an individual's  
4 privacy interests; (b) not generally known; and, (c) not normally revealed to the public or third  
5 parties or, if disclosed to third parties, would require such third parties to maintain the  
6 information in confidence.

7 These confidential documents consist of:

- 8 1. Personnel records of law enforcement and district attorney members of the Kern  
9 County District Attorney's Office.

10 The stipulated protective order (Doc. No. 48) issued on April 9, 2021, was issued just  
11 prior to counsel for defendants Robert Carbone, Gregg Bresson, and Ray Lopez substitution into  
12 the case on April 13, 2021 (Doc. Nos. 53-55). On page 1, lines 21-23, the stipulated protective  
13 order (Doc. No. 48) mistakenly included reference to personnel records of Kern County Sheriff's  
14 Office instead of the Kern County District Attorney's Office. Since individuals previously  
15 employed by the Kern County District Attorney's Office (defendants Robert Carbone, Gregg  
16 Bresson, and Ray Lopez), and not Kern County Sheriff's Office personnel, are named as  
17 defendants, the parties stipulate and request that in light of the sensitive nature of the documents  
18 potentially to be disclosed from the personnel records of law enforcement and district attorney  
19 members of the Kern County District Attorney's Office, that any such disclosure be governed in  
20 accordance with the provisions set forth in the stipulated protective order (Doc. No. 48) entered  
21 into by the parties and signed by the court on April 9, 2021.

22 DATED: January 3, 2022

MCLANE, BEDNARSKI & LITT  
ZAVALA LAW GROUP  
LAW OFFICES OF DO KIM, APLC

/s/ Barrett S. Litt

Barrett S. Litt  
Lindsay B. Battles  
Salomon Zavala  
Do Kim  
Attorneys for Plaintiff  
VICENTE BENAVIDES FIGUEROA

1 DATED: January 4, 2022

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF KERN

2  
3 /s/ Marshall Scott Fontes

4 Marshall Scott Fontes  
5 Kyle L. Holmes  
6 Attorneys for Defendants KERN COUNTY  
7 ROBERT CARBONE, RAY LOPEZ, GREG  
8 BRESSON

9 DATED: January 3, 2022

ORBACH, HUFF, SUAREZ & HENDERSON

10 /s/ Kevin E. Gilbert

11 Kevin E. Gilbert  
12 Attorneys for Defendants CITY OF DELANO, AL  
13 VALDEZ, ESTATE OF JEFFREY NACUA AND  
14 SARAH GARCIA NACUA

15 DATED: January 3, 2022

16 /s/ Lara Shapiro

17 Lara Shapiro  
18 Attorneys for Defendant DR. JAMES DIBDIN

19 DATED: January 3, 2022

WEAKLEY & ARENDT  
A Professional Corporation

20 /s/ Brande L. Gustafson

21 James D. Weakley  
22 Brande L. Gustafson  
23 Attorneys for Defendants,  
24 ROBERT CARBONE, RAY LOPEZ,  
25 GREGG BRESSON

**ORDER**

26 IT IS SO ORDERED.

27 Dated: January 7, 2022

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE