

1 Kenneth N. Frucht, State Bar No. 178881
LAW OFFICES OF KENNETH FRUCHT
2 120 Montgomery Street, Suite 1600
San Francisco, CA 94104
3 Tel: (415) 392-4844
Fax: (415) 392-79-73
4 ATTORNEY FOR PLAINTIFF JEAN MILLER

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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 JEAN MILLER,

10 Plaintiff,

No. CIV S-00-1733 EJG JFM

11 vs.

12 BUTTE COUNTY, et al.,

STIPULATION AND PROTECTIVE

13 Defendants.

ORDER

14 _____/
15 IT IS HEREBY STIPULATED by and between the parties hereto, by and through their
16 respective counsel of record, and hereby ORDERED by the Court, as follows:

17 1. This Stipulation for Protective Order shall apply solely to information, documents
18 and things obtained by the parties, or their counsel, relating to the lawsuit entitled Miller v. Butte
19 County, et al. which case is pending as Case No. S-00-1733 EJG/JFM in the United States
20 District Court for the Eastern District of California. (hereinafter "CONFIDENTIAL
21 MATERIAL").

22 2. The CONFIDENTIAL MATERIAL to be provided or obtained is as follows:

23 a. CONFIDENTIAL MATERIAL shall be defined as any and all medical records,
24 charts, reports, opinions, or other documents that were written, drafted, prepared, recorded,
25 stored, or maintained by any hospital, clinic, doctor, nurse, psychologist, chiropractor, or other
26 medical or healthcare professional, that relates to or refers to Jean Miller.

1 3. All CONFIDENTIAL MATERIAL shall be treated as confidential during the
2 pendency of, and subsequent to the termination this action. Such CONFIDENTIAL MATERIAL
3 and all copies thereof shall be used solely for the purpose of this litigation and not for any other
4 purpose.

5 4. Control and distribution of all CONFIDENTIAL MATERIAL covered by this
6 Stipulation shall be the responsibility of the attorneys of record. All documents deemed by the
7 parties to be confidential as listed above shall be marked as "CONFIDENTIAL" on the bottom
8 right hand corner of the document. However, failure to mark any document "CONFIDENTIAL"
9 shall not change the fact that it is considered confidential under this Protective Order. All persons
10 authorized to receive CONFIDENTIAL MATERIAL under this Stipulation (other than the Court
11 and court reporters), shall be shown a copy of, and, if not a lawyer acting as counsel for a party in
12 this action, an employee of such counsel, shall, in a written, and signed Certificate in the form
13 attached hereto as Appendix A, state that he or she has read this Stipulation for Protective Order
14 and agrees to be bound by its terms. Counsel of record for that party shall then retain the
15 Certificate until the conclusion of the litigation, and shall make such Certificates available to
16 other counsel upon written request after the conclusion of the litigation.

17 5. Except by prior court order or with the prior written consent of the party
18 producing CONFIDENTIAL MATERIAL pursuant to this Stipulation, no CONFIDENTIAL
19 MATERIAL, and no information contained or revealed therein, shall be disclosed, directly or
20 indirectly, to any person other than:

- 21 a) Counsel employed by the respective parties to this litigation;
- 22 b) Regular employees of such counsel, including secretaries and legal assistants;
- 23 c) Any and all witnesses who testify at deposition or trial in this litigation as
24 indicated above;
- 25 d) Independent, non-party consultants or experts retained or consulted by counsel in
26 this litigation;

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APPENDIX A

ACKNOWLEDGMENT OF CONFIDENTIALITY ORDER
AND AGREEMENT TO BE BOUND

I acknowledge that I have been given a copy of, and have read and understand the Stipulation for Entry of Protective Order entered in the above-captioned lawsuit.

I further acknowledge and agree to comply with the terms of the Protective Order and be bound by it. I acknowledge, understand and agree that by receiving confidential information hereunder I am subject to penalty for contempt of court for any violation of the terms of the Protective Order.

DATED:
