

LONGYEAR, O'DEA & LAVRA, LLP
Attorneys at Law
3620 American River Drive, Suite 230
Sacramento, CA 95864-5923
Telephone (916) 974-8500 / Facsimile (916) 974-8510

1 VAN LONGYEAR, CSB NO. 84189
2 JENNIFER MARQUEZ, CSB NO. 232194
3 NATASHA N. LANGENFELD, CSB NO. 250944
4 Longyear, O'Dea and Lavra, LLP
5 3620 American River Drive, Suite 230
6 Sacramento, Ca. 95864
7 Telephone: (916) 974-8500
8 Facsimile: (916) 974-8510

Attorneys for Defendant Jeffrey L. Baker

UNITED STATES DISTRICT COURT EASTERN DISTRICT
OF CALIFORNIA SACRAMENTO DIVISION

10 JEFFREY D. MCDONALD, et al.)
11 Plaintiff)
12 v.)
13 ROSEANNE CAMPBELL, et al.)
14 Defendants.)
15

CASE NO. 2:06-CV-02404 RT

STIPULATION FOR PROTECTIVE
ORDER PER COURT ORDER

~~PROPOSED ORDER~~
RT

16 Per Court Order (See Court Docket No. 93), documents are being provided to plaintiff
17 Jeffrey D. McDonald under the supervision of a prison official (specifically, documents bate
18 stamped 000119-120, 000125-128, 000136-233, and 000234-238). Any notes and writings
19 created by plaintiff Jeffrey D. McDonald during the supervised review of these documents are
20 hereby subject to the following protective order:

21 1. All notes and writings created by plaintiff Jeffrey D. McDonald are "Confidential"
22 under the terms of this Stipulated Protective Order (hereinafter "Order"). These notes shall be
23 written on paper marked with the legend "CONFIDENTIAL", bate-stamped and watermarked
24 "CONFIDENTIAL""DO NOT DUPLICATE". Disclosure of information obtained from review
25 of these documents would have the effect of causing harm.

26 2. All information obtained from these documents shall be used only for the purpose
27 of this action, and for no other purpose.
28

1 3. Should any information derived from these documents be included in any papers
2 to be filed with the court, such papers shall be labeled "Confidential - Subject to Court Order"
3 and filed under seal until further order.

4 4. In the event that any confidential information is used in any court proceeding in
5 this action, it shall not lose its confidential status through such use, and the party using such shall
6 take all reasonable steps to maintain its confidentiality during such use.

7 5. Nothing in this Order nor the production of any information under the terms of
8 this Order nor any proceedings pursuant to this Order shall be deemed to have the effect of an
9 admission or waiver by either party or of altering the confidentiality or nonconfidentiality of any
10 such information or altering any existing obligation of any party or the absence thereof.

11 6. Nothing in this Protective Order shall in and of itself require disclosure of
12 information that is protected by the attorney-client privilege, work-product doctrine, or any other
13 privilege, doctrine, or immunity, nor does it result in any party giving up its right to argue that
14 otherwise privileged documents must be produced due to waiver or for any other reason.

15 7. In the event any party claims that it has inadvertently disclosed information
16 subject to the attorney-client privilege, work-product doctrine, or any other privilege, doctrine, or
17 immunity, upon discovery of the inadvertent disclosure, the party shall promptly notify the
18 opposing party thereof. Immediately upon receiving such notice, counsel for the party who
19 received the allegedly inadvertently-disclosed privileged information shall sequester all identified
20 information (including any and all copies) in its offices until the matter has been resolved either
21 by agreement of the parties or by an order of this Court. With respect to the application of any
22 claim of privilege or immunity for inadvertently produced materials, if the parties are unable to
23 reach a satisfactory agreement as to the return and/or use of such Documents within ten (10)
24 court days of such notice, the producing party may, within ten (10) court days thereafter, petition
25 the Court on an expedited basis to resolve the matter. If the party alleging an inadvertent
26 disclosure makes an adequate showing, reasonable under the circumstances, of both inadvertence
27 and privilege, the Court shall order all such information returned to the party who inadvertently
28 produced them.

1 8. Testimony taken at a conference, hearing or trial may be designated as
2 confidential by making a statement to that effect on the record at the proceeding.

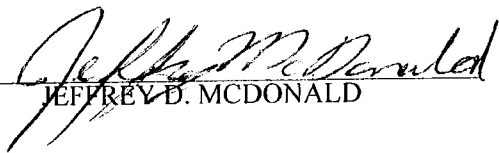
3 9. If Protected Information produced in accordance with this Order is disclosed to
4 any person other than in the manner authorized by this Order, the party responsible for the
5 disclosure shall immediately bring all pertinent facts relating to such disclosure to the attention
6 of all counsel of record and, without prejudice to other rights and remedies available to the
7 producing party, make every effort to obtain the return of the disclosed Protected Information
8 and prevent further disclosure of it by the person who was the recipient of such information.

9 10. This Order shall survive the final termination of this action, to the extent that the
10 CONFIDENTIAL information is not or does not become known to the public, and the Court
11 shall retain jurisdiction to resolve any dispute concerning the use of the information disclosed
12 hereunder. Upon termination of this case, all parties and/or counsel for parties shall assemble
13 and return all documents, material, and deposition transcripts designated as confidential and all
14 copies of the same to counsel for Defendant JEFFREY BAKER, Longyear, O'Dea & Lavra,
15 LLP, 3620 American River Drive, Suite 230, Sacramento, CA 95864.

16 **IT IS SO AGREED.**

17
18 Dated: 12/9/09

PLAINTIFF IN PRO PER

19
20 By: 
JEFFREY D. MCDONALD

21
22
23 Dated: _____

OFFICE OF THE ATTORNEY GENERAL

24
25 By: _____
ELLEN Y. HUNG
26 Attorney for Defendants Gibson and
27 Campbell
28

LONGYEAR, O'DEA & LAVRA, LLP
Attorneys at Law
3620 American River Drive, Suite 230
Sacramento, CA 95864-5923
Telephone (916) 974-8500 / Facsimile (916) 974-8510

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: November 23, 2009

LONGYEAR, O'DEA & LAVRA, LLP

By: /s/ Natasha Langenfeld

NATASHA N. LANGENFELD

Attorney for Defendant Jeffrey L. Baker

IT IS SO ORDERED.

Dated: 1/22/10

Robert J. Timlin
UNITED STATES DISTRICT JUDGE