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10 Attorneys for: Defendants Lassen County, John McGarva and Steve Warren

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

ALLONA EGYED, on behalf of herself and as  
 Guardian and Conservator for JASON EGYED,  
  
 Plaintiffs,  
 vs.  
 LASSEN COUNTY, JOHN McGARVA and  
 STEVE WARREN,  
  
 Defendants.

NO. 2:07-cv-01633-MCE-KJM  
  
**STIPULATION FOR PROTECTIVE  
 ORDER REGARDING USE OF  
 LASSEN COUNTY SHERIFF’S  
 DEPARTMENT AND DISTRICT  
 ATTORNEY RECORDS**

It is hereby stipulated by and between all the parties to this action by and through their  
 respective attorneys of record, that in order to protect the confidentiality of the records described  
 below, any of said records disclosed are subject to a protective order (and designated as  
 “Confidential Material”) as follows:

1. The documents identified in County of Lassen’s Initial Disclosure Statement (FRCP  
 26(a)) in paragraph b thereof, including the following:
  - a. Lassen County Superior Court and Prosecution records (Allona Egyed)
  - b. Lassen County Sheriff’s Department records regarding the subject incident -  
 Arrest and Detention Reports

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1           2.       Confidential materials shall be used solely in connection with this litigation and the  
2 preparation of trial in this case, or any related appellate proceedings, and not for any other purpose,  
3 including any other litigation.

4           3.       Confidential material may not be disclosed except as set forth in paragraph 5.

5           4.       Confidential Material may be disclosed only to the following persons:

- 6           a.       Counsel for any party to this action.
- 7           b.       Paralegal, stenographic, clerical and secretarial personnel regularly employed  
8           by counsel referred to in 4(a);
- 9           c.       Court personnel including stenographic reporters engaged in such proceedings  
10           as are necessarily incidental to preparation for the trial of this action;
- 11           d.       Any outside expert or consultant retained in connection with this action, and  
12           not otherwise employed by either party;
- 13           e.       Any “in house” expert designated by defendant to testify at trial in this matter;
- 14           f.       Witnesses, other than the plaintiff herein, who may have the documents  
15           disclosed to them during deposition proceedings; the witnesses may not leave  
16           the depositions with copies of the documents, and shall be bound by the  
17           provisions of paragraph 5;
- 18           g.       Any Neutral Evaluator or other designated ADR provider; and
- 19           h.       Parties to this action.

20           Nothing in this paragraph 4 is intended to prevent officials or employees of the County of  
21 Lassen, or other authorized government officials from having access to the documents if they would  
22 have had access in the normal course of their job duties. Further, nothing in this order prevents a  
23 witness from disclosing event or activities personal to them, i.e., a witness can disclose to others  
24 previous information given to the County of Lassen with respect to what she/he saw, heard, or  
25 otherwise sensed.

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1           5.       Each person to whom disclosure is made, with the exception of counsel who are  
2 presumed to know of the contents of this protective order, shall, prior to disclosure: (1) be provided  
3 with a copy of this order by the person furnishing him/her such material, and (2) agree on the record  
4 or in writing that she/he has read the protective order and that she/he understands the provisions of  
5 the protective order. Such person must also consent to be subject to the jurisdiction of the United  
6 States District Court, Eastern District, with respect to any proceeding relating to the enforcement of  
7 this order. Defendant County of Lassen shall be entitled to retain possession of the original writings  
8 described above.

9           6.       At the conclusion of the trial and of any appeal or upon other termination of this  
10 litigation, all Confidential Material received under the provisions of this order (including any copies  
11 made) shall be delivered back to the County of Lassen. Provisions of this order insofar as they  
12 restrict disclosure and use of the material shall be in effect until all Confidential Material (including  
13 all copies thereof) are returned to defendant.

14           7.       Any document filed with the Court that reveals Confidential Material shall be filed  
15 under seal, labeled with a cover sheet as follows: “Allona Egyed, on behalf of herself and as  
16 Guardian and Conservator for Jason Egyed vs. Lassen County, et al., United States District Court,  
17 Eastern District, Case No. 2:07 CV 01633 MCE KJM. This document is subject to a protective  
18 order issued by the Court and may not be copied or examined except in compliance with that order.”  
19 Documents so labeled shall be kept by the Clerk under seal and shall be made available only to the  
20 Court or counsel. Upon failure of the party to so file a document under seal, the producing party may  
21 request that the Court place the filing under seal.

22           8.       Nothing in this order shall preclude a party from showing or disclosing any  
23 documents, e.g., deposition transcripts, pleadings or briefs, which otherwise contain Confidential  
24 Material as defined in paragraph 1, as long as such document has been redacted so as to prevent  
25 disclosure of such Confidential Material.

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1           9.       The foregoing is without prejudice to the right of any party (a) to apply to the Court  
2 for a further protective order relating to any other Confidential Material or relating to discovery in  
3 this litigation; (b) to apply to the Court for an order removing the Confidential Material designation  
4 from any document; and (c) to apply to the Court for an order compelling production of documents  
5 or modification of this order or for any order permitting disclosure of Confidential Materials beyond  
6 the terms of this order.

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8 Dated: January 1, 2008

HAGER & HEARNE

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10 By: /s/ Treva J. Hearne  
11 TREVA J. HEARNE  
12 Attorneys for Plaintiff

13 Dated: January 31, 2008

JONES & DYER

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15 By: /s/ Mark A. Jones  
16 MARK A. JONES  
17 Attorneys for Defendants County of Lassen, John  
18 McGarva and Steven W. Warren  
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**ORDER**

The Court having considered the foregoing stipulation of the parties, and good cause appearing, the Court hereby orders that the above-described records relating to this matter, as more specifically described in Paragraph 1 of the Stipulation, be subject to a protective order fully incorporating the provisions set forth above.

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: February 5, 2008

  
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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE