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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN DAWE; FLAT IRON
MOUNTAIN ASSOCIATES, LLC,
formerly known as FLAT
IRON MOUNTAIN ASSOCIATES,
a Partnership,

NO. CIV. S-07-1790 LKK/EFB

Plaintiffs,

v.

O R D E R

CORRECTIONS USA, a California
Corporation; CALIFORNIA
CORRECTIONAL PEACE OFFICERS'
ASSOCIATION, a California
Corporation; JAMES BAIARDI,
an individual; DONALD JOSEPH
BAUMANN, an individual,

Defendants.

AND CONSOLIDATED ACTIONS &
RELATED COUNTERCLAIMS

Plaintiffs' counsel informs the court that excerpts from video recordings of depositions in this case have been posted to Youtube.com under the name CorrectionsUSA. See Letter filed May 31, 2010 (Dkt. No. 328). Plaintiffs request that defendants remove these videos, although plaintiffs do not argue that the videos

1 violate the protective order in this case or any other legal
2 obligation or prohibition. As such, it may be that the posting of
3 these videos is protected by the First Amendment. On the other
4 hand, an order might be necessary to prevent adverse effect on jury
5 selection.

6 Defendants have not filed a response to plaintiff's letter
7 with the court. It appears, however, that these videos have
8 already been removed, mooting this dispute.¹ Without determining
9 the legal rights of either party at this stage, the court requests
10 as a courtesy that both sides take steps to ensure that neither
11 these nor similar videos are reposted or otherwise made public
12 pending trial.

13 IT IS SO ORDERED.

14 DATED: June 10, 2010.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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¹ On June 9, 2010, the court attempted to visit the links provided by plaintiffs, and received messages indicating that the videos had been removed by the poster or were otherwise unavailable.