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

LEVON D. GRAHAM,

Plaintiff,

No. CIV S-07-2291 GGH P

vs.

D.L. RUNNELS, et al.,

Defendants.

PROTECTIVE ORDER

_____/

Defendants have submitted a High Desert State Prison operational procedure and several confidential memoranda for in camera review, along with a proposed protective order, pursuant to the order, filed on January 25, 2011 (docket # 63). This Court, having reviewed the documents submitted by defendants as well as defendants' proposed protective order, and in light of having appointed counsel for plaintiff, issues the following protective order:

Plaintiff's counsel will make arrangements to obtain the documents submitted to this Court by defendants for in camera review from the Chambers of the undersigned within seven (7) days. The documents for plaintiff's counsel's EYES ONLY include the unredacted versions of: OP 118 (2000)(Exhibit A-1); OP 118 (2001) (Exhibit B-1); and the confidential memoranda dated December 7, 1999, January 17, 2002, and January 22, 2002 (Exhibit C-1); as well as defendants' proposed redacted versions of these documents: Exhibit A-2; Exhibit B-2;

1 and Exhibit C-2, subject to the following restrictions:

2 1. No policies or procedures provided for the Court's in camera review pursuant
3 to this Court's Order (ECF No. 63) shall be disclosed to Plaintiff himself unless otherwise
4 ordered by the Court;

5 2. No information contained in the policies and procedures shall be disclosed to
6 any person or entity, outside of counsel's staff and or experts retained for this litigation, or court
7 personnel including deposition stenographers.

8 3. In no event shall policies and procedures disclosed pursuant to this Court's
9 order be used for any purpose other than Plaintiff's excessive force claim in this action.

10 4. Nothing in this protective order is intended to prevent officials or employees of
11 the State of California, or other authorized government officials, from having access to
12 confidential material to which they would have access in the normal course of their official
13 duties.

14 5. Upon conclusion of the instant action, the original documents and all
15 photocopies of the records and information disclosed pursuant to this Court's order shall be
16 destroyed or returned to the Office of the Attorney General within 20 days of the time it is no
17 longer needed for purposes of this litigation.

18 6. The provisions of this protective order are without prejudice to the right of any
19 party:

20 a) To apply to the Court for a further protective order relating to any confidential
21 material or relating to discovery in this litigation;

22 b) To apply to the Court for an order removing the confidential material
23 designation from any documents;

24 c) To object to a discovery request.

25 The provisions of this order shall remain in full force and effect until further order
26 of this Court.

