

1 JUDITH CLARK MARTIN, STATE BAR NO. 173557
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6 Attorneys for Defendant,
 7 CATHOLIC HEALTHCARE WEST dba
 MERCY GENERAL HOSPITAL (erroneously
 8 sued and served herein as CATHOLIC HEALTHCARE
 WEST and MERCY GENERAL HOSPITAL)
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 11 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA
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14 ANI CHOPOURIAN,)	CASE NO. 2:09-CV-02972-KJM-KJN
)	
15 Plaintiff,)	AMENDED STIPULATION AND ORDER RELATING TO VIDEO RECORDING OF DOCUMENT REVIEW AND DEFENDANT'S MOTION FOR PROTECTIVE ORDER REGARDING THE VIDEO RECORDING
16 v.)	
17 CATHOLIC HEALTHCARE WEST,)	
MERCY GENERAL HOSPITAL, AND)	
18 DOES 1 through 20, inclusive,)	
19 Defendants.)	
20 _____)		

21 The parties, having received the court's order pertaining to the parties' Stipulation and
 22 Order Relating to Video Recording of Document Review and Defendant's Motion for Protective
 23 Order, which the court issued on July 7, 2011, the parties have further met and conferred regarding
 24 the issues addressed in the court's order, and the parties stipulate and agree as follows:

- 25 1. That an independent video company, DB Ronk, will retrieve the sealed box that was
 26 delivered to the court on July 1, 2011, which contains plaintiff's counsel's video camera.

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1 2. That DB Ronk will, prior to returning the camera to plaintiff's counsel and without
2 revealing the contents of the video camera to anyone who is not in the direct employ of DB Ronk,
3 copy the contents of the video camera's files and/or memory to a single readable CD, labeled as
4 "Video Recording of Defendant's Document Review of June 30, 2011."

5 3. That DB Ronk will then fully delete the entire contents of the video camera's
6 memory.

7 4. The parties are currently working on a solution for storage of the CD once the
8 contents of the video camera are copied. While the parties make such arrangements, DB Ronk
9 will maintain the CD of the data and/or video files from the plaintiff's video camera.

10 5. Once the contents of the video camera's memory are downloaded to the CD and
11 erased, DB Ronk will then deliver the video camera to plaintiff's counsel.

12 6. Should the parties be unable to reach an agreement with regard to storage and
13 retention of the CD during the pendency of this litigation, the parties will file the appropriate
14 motion for protective order and/or request to file under seal in accordance with Local Rule 141.

15 7. The parties acknowledge that the purpose of the video recording ordered by this
16 Court was to ensure that defendant's counsel did not tamper with, modify or destroy any of
17 plaintiff's original documents during the document review.

18 8. The parties further acknowledge that the video recording may contain the protected
19 work product of defendant's counsel, and defendant does not waive any right to the protection of
20 such work product.

21 9. The parties further acknowledge that plaintiff's counsel has received all original
22 documents that were reviewed by defendant's counsel, and that said documents were not damaged
23 or tampered with in any manner.

24 10. Defendant will bear the cost of DB Ronk's services to retrieve the video camera
25 from the court, copy the contents of the video camera and delete the files therefrom, maintain the
26 CD until such time as an agreement or, if appropriate, court order, for its storage is obtained, and
27 return the video camera to plaintiff's counsel.

1 11. It is the understanding of the parties that all efforts will be made by DB Ronk to
2 ensure that the return of the video camera to plaintiff's counsel by the close of business Friday,
3 July 8, 2011, realizing, of course, the necessity of this Court's approval of this stipulation before
4 the sealed box can be retrieved by DB Ronk.

5 12. Upon the execution and filing of this stipulation, defendant hereby withdraws its
6 motion for protective order pertaining to the video recording of defendant's review of plaintiff's
7 original documents.

8 Dated: July 7, 2011

LA FOLLETTE, JOHNSON,
DE HAAS, FESLER & AMES

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11 By: /s/ Mary E. Greene
12 JUDITH CLARK MARTIN
13 MARY E. "MOLLY" GREENE
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19 Dated: July 7, 2011

BOHM LAW GROUP

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1 Dated: July 7, 2011

LAW OFFICE OF ERIKA M. GASPAR

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8 IT IS SO ORDERED:

9 Date: July 7, 2011

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12 KENDALL J. NEWMAN
13 UNITED STATES MAGISTRATE JUDGE
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