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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

SANDIPKUMAR TANDEL,  
  
Plaintiff,  
  
vs.  
  
COUNTY OF SACRAMENTO, et al.,  
  
Defendants.

**CASE NO. 2:11-cv-00353 MCE AC**  
  
[Consolidated with Case No. 2:09-cv-00842 MCE GGH]  
  
**STIPULATION FOR AMENDED  
PROTECTIVE ORDER AND  
AMENDED PROTECTIVE ORDER**

Prior to the consolidation of Case Nos. 2:09-CV-00842 and 2:11-CV-00353, the parties  
in Case No. 2:09-CV-00842 stipulated and this Court, with modifications, approved the  
protective order. See Case No. 2:09-CV-00842, Doc. 48. The protective order only pertained to  
Plaintiff’s first lawsuit in 2007. Since then, Plaintiff filed a subsequent lawsuit for incidents that

1 occurred in 2010. Both cases were consolidated and the consolidated lawsuit now covers  
2 Plaintiff's incarcerations at the Sacramento County Main Jail in 2007 and 2010.

3 The parties hereby stipulate that the Court's previous order apply for the consolidated  
4 case, which covers all of Plaintiff's incarcerations at the Sacramento County Main Jail.

5 Otherwise, the protective order has not substantively been amended. The parties did modify the  
6 protective order to include paragraph 8, as the Court previously ordered. See Case No. 2:09-CV-  
7 00842, Doc. 48.  
8

9 The parties hereby stipulate to the following protective order:

- 10 1. In connection with discovery proceedings in this action, the parties hereby designate  
11 documents as "confidential" under the terms of this Stipulation for Protective Order  
12 (hereinafter "Order"). The documents protected pursuant to this Order have not been  
13 made public and the disclosure of said documents would have the effect of causing harm.  
14
- 15 2. The documents eligible for protection under this order include:
  - 16 A. Medical information regarding a third party, including but not limited to inmate  
17 grievances/complaints and medical records. Production of such documents would  
18 violate a third party's right to privacy.
  - 19 B. Confidential minutes from various Sacramento County Main Jail meetings which  
20 would reveal the deliberations, communications and pre-decisional mental  
21 process made in regard to the quality assurance for medical and mental health  
22 care provided to the inmates. The meetings are private and not open to the public.  
23 The minutes from the meetings remain confidential and are not disseminated to  
24 the public. The minutes contain confidential opinions, suggestions or  
25 recommendations regarding quality of medical and mental health care to inmates  
26 that should be protected.  
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C. A third party's personnel file. Production of such documents would violate a third party's right to privacy.

D. Sacramento County Main Jail entries/logs regarding the main jail operations. Production of such documents would compromise the safety and security of the main jail, employees and inmates.

3. By designating documents as "confidential" under the terms of this Order, the party making the designation is certifying to the Court that there is a good faith basis both in law and in fact for the designation within the meaning of Federal Rule of Civil Procedure 26(g).
4. Documents produced by a party shall be designated by the party as "confidential" by bates stamping copies of the document with the word "CONFIDENTIAL". The producing party shall also watermark and/or affix legends to such documents using the words "CONFIDENTIAL - SUBJECT TO COURT ORDER."
5. Documents designated as "confidential" under this Order (hereinafter, "Confidential Material"), the information contained therein, and any summaries, copies, abstracts, or other documents derived in whole or in part from material designated as confidential shall be used only for the purpose of this action, and for no other purpose.
6. Confidential Material produced pursuant to this Order may be disclosed or made available only to counsel for a party (including the paralegal, clerical, and secretarial staff employed by such counsel and independent office services vendors hired by such counsel). Confidential Material may be provided to any expert retained for consultation and/or trial. In the event that Confidential Material is given to an expert, counsel that retained the expert shall provide a copy of this Order with the Confidential Material.

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7. The Confidential Material produced pursuant to this Order will be redacted with respect to (i) social security numbers; (ii) dates of birth; (iii) financial information (including financial account numbers); and (iv) in all circumstances redact when federal law requires redaction. Each redaction must be identified by showing what information has been redacted (e.g., “social security number,” etc.) This provision complies with Eastern District Local Rule 140.

8. All parties shall comply with the procedural requirements of Eastern District Local Rules 141 and 141.1 regarding the sealing of documents. The substantive standards set forth in the Ninth Circuit for filing documents under seal are found in Pintos v. Pacific Creditors Ass’n, 605 F.3d 665, 678 (9<sup>th</sup> Cir. 2010) and Phillips v. General Motors Corp., 307 F.3d 1206, 1210 (9<sup>th</sup> Cir. 2002).

9. Nothing in this Order shall in any way limit or prevent Confidential Material from being used in any deposition or other proceeding in this action. In the event that any Confidential Material is used in any deposition or other proceeding in this action, it shall not lose its confidential status through such use.

10. This Order is entered for the purpose of facilitating the exchange of documents between the parties to this action without involving the Court unnecessarily in the process. Nothing in this Order, or the production of any document under the terms of this Order, shall be deemed to have the effect of an admission or waiver by either party or of altering the confidentiality or non-confidentiality of any such document.

11. Nothing in this Order shall in and of itself require disclosure of information that is protected by the attorney-client privilege, work-product doctrine, or any other privilege, doctrine, or immunity, nor does anything in this Order, result in any party giving up its

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right to argue that otherwise privileged documents must be produced due to waiver or for any other reason.

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

13. This Order shall survive the final termination of this action, to the extent that the Confidential Material is not or does not become known to the public, and the Court shall retain jurisdiction to resolve any dispute concerning the use of the information disclosed hereunder. Counsel for the parties shall destroy all Confidential Material in their possession, custody, or control within 180 (one hundred eighty) days of final termination of this action, which shall be deemed to occur only when final judgment has been entered and all appeals have been exhausted. Any confidential material filed with the court, sealed or otherwise, will not be returned at the conclusion of the litigation.

**IT IS SO STIPULATED.**

Dated: December 5, 2012                      LAW OFFICES OF GERI LYNN GREEN, LC  
By: /s/ Geri Lynn Green  
GERI LYNN GREEN  
Attorney for Plaintiff

Dated: December 5, 2012                      LAW OFFICES OF DENNISE HENDERSON  
By: /s/ Dennise Henderson

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DENNISE HENDERSON  
Attorney for Plaintiff

Dated: December 5, 2012

LONGYEAR, O'DEA AND LAVRA, LLP

By: /s/ Jennifer Marquez  
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M.D., John Wilson, Robert Bauer, M.D., Asa  
Hambly, M.D., Hank Carl, RN. Tracie Keillor and  
Pablito Gaddis

Dated: December 5, 2012

PORTER SCOTT

By: /s/ Norman V. Prior  
NORMAN V. PRIOR  
KIMBERLY KAKAVAS GARNER  
Attorneys for Defendant Chris Smith, M.D.

**IT IS SO ORDERED.**

Dated: January 7, 2014

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE