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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA
11

12 **KATHLEEN CARROLL,**

13 Plaintiff,

14 v.

15 **STATE OF CALIFORNIA ACTING BY
16 AND THROUGH THE CALIFORNIA
COMMISSION ON TEACHER
17 CREDENTIALING; DALE JANSSEN, in
his individual capacity; MARY
18 ARMSTRONG, in her individual capacity;
LEE POPE, in his individual capacity;
19 CHRISTA HILL, in her individual capacity;
ANI KINDALL, in her individual capacity;
20 and DOES 1 through 10, inclusive,**

21 Defendants.
22

2:13-cv-00249-KJM-KJN

**STIPULATION FOR PROTECTIVE
ORDER AND PROTECTIVE ORDER**

23 Trial Date: TBA
24 Action Filed: November 14, 2012

25 Subject to the approval of this Court, the parties hereby stipulate to the following
26 protective order:

27 1. In connection with discovery proceedings in this action, the parties hereby designate
28 documents as “confidential” under the terms of this Stipulation for Protective Order
(hereinafter “Order”). The documents protected pursuant to this Order have not been made public
and the disclosure of said documents would have the effect of causing harm.

- 1 2. The documents eligible for protection under this order include:
- 2 A. Educational information regarding any third party, including but not limited to,
- 3 student and school district records. Production of such documents would violate a third party's
- 4 right to privacy.
- 5 B. Non-public records regarding credential discipline matters and process, except
- 6 for credential matters in which the credential applicant or holder has expressly waived his or her
- 7 right to privacy.
- 8 C. A third party's personnel file or documents relating to the employment of third
- 9 parties. Production of such documents would violate a third party's right to privacy.
- 10 D. The investigative reports prepared by Elizabeth Ison.
- 11 E. Witness Interview Transcripts from the investigation conducted by Elizabeth
- 12 Ison.
- 13 3. By designating documents as "confidential" under the terms of this Order, the party
- 14 making the designation is certifying to the Court that there is a good faith basis both in law and in
- 15 fact for the designation within the meaning of Federal Rule of Civil Procedure 26(g).
- 16 4. Documents produced by a party shall be designated by the party as "confidential" by
- 17 bates stamping copies of the document with the word "CONFIDENTIAL".
- 18 5. Documents designated as "confidential" under this Order (hereinafter, "Confidential
- 19 Material"), the information contained therein, and any summaries, copies, abstracts, or other
- 20 documents derived in whole or in part from material designated as confidential shall be used only
- 21 for the purpose of this action, and for no other purpose.
- 22 6. Confidential Material produced pursuant to this Order may be disclosed or made
- 23 available only to (1) the parties; (2) counsel for a party (including the paralegal, clerical, and
- 24 secretarial staff employed by such counsel and independent office services vendors hired by such
- 25 counsel); (3) any expert retained for consultation and/or trial; (4) the court and its personnel; (5)
- 26 court reporters and their staff, professional jury or trial consultants, mock jurors, and Professional
- 27 Vendors to whom disclosure is reasonably necessary for this litigation; (6) during their
- 28 depositions, witnesses in the action to whom disclosure is reasonably necessary; and (7) the

1 author or recipient of a document containing the information. In the event that Confidential
2 Material is given to a person identified in section (3), (5), or (6), said person must sign a copy of
3 this Order with the Confidential Material and return the documents at the termination of the
4 litigation at the request of other parties' counsel.

5 7. The Confidential Material produced pursuant to this Order will be redacted with
6 respect to (i) social security numbers; (ii) dates of birth; (iii) financial account numbers; and (iv)
7 in all circumstances when federal law requires redaction. Each redaction must be identified in
8 accordance with Eastern District Local Rule 140.

9 8. If a party would like to use Confidential Material in Court filings, at least seven (7)
10 days notice shall be given to all parties. All parties shall comply with the requirements of
11 Eastern District Local Rule 141, in the event that a party would like Confidential Material to be
12 sealed. In lieu of seeking a motion to seal, the parties may agree to redact identifying information
13 relating to any third party.

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

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

23 11. Nothing in this Order shall in and of itself require disclosure of information that is
24 protected by the attorney-client privilege, work-product doctrine, or any other privilege,
25 doctrine, or immunity, nor does anything in this Order, result in any party giving up its right to
26 argue that otherwise privileged documents must be produced due to waiver or for any other
27 reason.

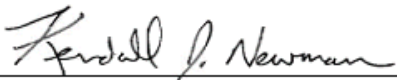
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The undersigned has considered the stipulated protective order filed and signed by all parties on September 9, 2013. The court approves the parties' stipulation, except that the court will not retain jurisdiction over the stipulated protective order and related disputes after termination of the action. Local Rule 141.1(f) provides: "Once the Clerk has closed an action, unless otherwise ordered, the Court will not retain jurisdiction over enforcement of the terms of any protective order filed in that action." E.D. Cal. L.R. 141.1(f).

IT IS SO ORDERED.

Dated: September 17, 2013


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE