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Attorneys for Plaintiff
HARRISON LUTHER ORR

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

HARRISON LUTHER ORR,
Individually,

Plaintiff,

vs.

CALIFORNIA HIGHWAY PATROL, a
public entity; STATE OF CALIFORNIA,
a public entity; CALIFORNIA
HIGHWAY PATROL OFFICERS
BRAME, PLUMB, and DOES 1-10,
individually,

Defendants.

Case No. 2:14-cv-0585-WBS-EFB

**STIPULATION AND PROPOSED
ORDER REGARDING SEALING OR
LOCKING ECF 54-25**

1 The parties in this case, by and through their counsel of record, hereby stipulate, and
2 request this Court to order, that Exhibit 26 (ECF 54-25) to the Declaration of T. Kennedy Helm in
3 Support of Plaintiff's Motion for Partial Summary Judgment (ECF 54) be sealed or locked.
4 Plaintiff will replace the current Exhibit 26 with a new Exhibit 26 containing no confidential
5 material. This joint request is based on the following:

- 6 1. Defendants inadvertently did not clearly designate the material comprising Exhibit
7 26 (ECF 54-25) as confidential pursuant to the terms of the Protective Order (ECF
8 30) until *after* Plaintiff had filed it as an exhibit and Plaintiff did not give notice
9 beforehand to Defendants that it was filing ECF 54-25.
- 10 2. Defendant State of California, appearing by and through the Department of
11 California Highway Patrol (CHP), greys out sections of the Highway Patrol Manual
12 (HPM) to indicate material which it restricts from public disclosure because such
13 disclosure could jeopardize officer safety.
- 14 3. Plaintiff's current Exhibit 26 (ECF 54-25) contains a substantial amount of greyed-
15 out text in HPM 70.6, Chapter 2.
- 16 4. Defendants are concerned that the material in Exhibit 26 (ECF 54-25) should not be
17 in the public domain for officer-safety reasons.
- 18 5. Plaintiff agrees to file a new Exhibit 26 which Defendants agree contains no
19 confidential material that requires it to be sealed.

20
21 SO STIPULATED.

22 Dated: January 28, 2015

HADDAD & SHERWIN LLP

23
24 /s/ T. Kennedy Helm

25 T. KENNEDY HELM

Attorneys for Plaintiff

26 HARRISON LUTHER ORR
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28

1 Dated: February 4, 2015

KAMALA D. HARRIS
Attorney General of California
PETER A. MESHOT
Supervising Deputy Attorney General

3 /s/ Stephen C. Pass*

4 STEPHEN C. PASS
5 Deputy Attorney General
6 Attorney for Defendants
7 STATE OF CALIFORNIA, APPEARING BY AND
8 THROUGH DEPARTMENT OF CALIFORNIA
9 HIGHWAY PATROL, TERRY PLUMB AND JAY
10 BRAME

11 * Mr. Pass provided his consent that this document be electronically filed.
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