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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH ROBERT SPOONER,
Plaintiff,
v.
MULTI HULL FOILING AC45 VESSEL "4
ORACLE TEAM USA," et al.,
Defendants.

Case No. [15-cv-00692-JCS](#)

**ORDER REGARDING REQUEST FOR
RELEASE OF PHOTOGRAPHS**

Plaintiff Joseph Spooner filed a request that the Court order the United States Marshal to provide photographs of the arrested property to counsel for the parties. *See* dkt. 28. Defendant Oracle Racing, Inc. filed a conditional statement of non-opposition, consenting to such release on the condition that the Court issue an order stating "that plaintiff and his counsel cannot disclose the photographs to others, will only use the photographs to respond to the Court's March 9, 2015 Order, and cannot file copies of the photographs except under seal, in order to protect trade secrets." *See* dkt. 29.

Having reviewed the parties' submissions, the Court orders as follows: The United States Marshal shall file under seal a supplemental warrant return including any photographs taken of the property arrested on March 10, 2015, and shall release such photographs to the parties' counsel via email as set forth in Spooner's request.¹ Unless otherwise ordered by the Court or permitted in writing by Oracle Racing:

1. Spooner and his counsel may not disclose the photographs, any reproductions thereof, or any technical description of their contents, except to: (a) Spooner

¹ Plaintiff's counsel's email address is barlowairlaw@yahoo.com. Defense counsel's email address is drusso@sc-law.us.

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himself; (b) Spooner’s counsel of record Patricia Barlow, as well as employees of Ms. Barlow to whom it is reasonably necessary to disclose the photographs for this litigation and who have agreed in writing to be bound by this Order; or (c) the Court and its personnel;

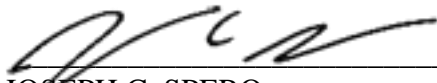
2. Spooner may use the photographs only for the purpose of responding to the Court’s March 9, 2015 Order and/or Oracle Racing’s request to release the arrested property; and

3. The photographs, reproductions thereof, or any technical description of their contents may not be filed except under seal. For the limited purpose of resolving Oracle Racing’s pending request for release of property, the Court grants both parties leave to file the photographs under seal without regard to the procedures set forth in Civil Local Rule 79-5.

Even after final disposition of this litigation, the confidentiality requirements of this Order shall remain in effect until Oracle Racing agrees otherwise in writing or a court order otherwise directs. Following the resolution of Oracle Racing’s pending request for release of property, the parties are instructed to meet and confer regarding treatment of confidential information, and to jointly submit a proposed protective order to supersede this Order.

IT IS SO ORDERED.

Dated: March 10, 2015



JOSEPH C. SPERO
Chief Magistrate Judge