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5 Attorneys for Defendant New York Marine  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 EDWARD MULLINS dba ADAMS SPRINGS  
GOLF COURSE, LLC,

12 Plaintiff,

13 vs.

14 NEW YORK MARINE AND GENERAL  
15 INSURANCE COMPANY; DOES 1-50,

16 Defendants.  
17

Case No.: 3:17-cv-02518-JST

**STIPULATION PURSUANT TO FRE 502  
FOR ENTRY OF A CLAWBACK ORDER  
AND ~~PROPOSED~~ CLAWBACK ORDER**

18 Plaintiff Edward Mullins dba Adams Springs Golf Course, LLC and defendant New  
19 York Marine and General Insurance Company stipulate and request pursuant to Federal Rule of  
20 Evidence 502 that the Court enter the proposed order appearing below. This request is made to  
21 protect against inadvertent  
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1 waiver of applicable privileges as authorized by Rule 502, and in particular subsection (d) of  
2 that rule.

3 DATED: July 12, 2017

4 BULLIVANT HOUSER BAILEY PC

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6 By /s/ Andrew B. Downs  
Andrew B. Downs

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8 Attorneys for Defendant New York Marine and  
General Insurance Company

9 DATED: July 12, 2017

10 KASOWITZ BENSON TORRES LLP

11  
12 By   
13 Brian P. Brosnahan  
Veronica Nauts

14 Attorneys for Edward Mullins dba Adams Springs  
15 Golf Course, LLC

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17 **CLAWBACK ORDER PURSUANT TO F.R.E. 502**

18 Federal Rule of Evidence 502(d) authorizes the Court to enter an order providing that  
19 any applicable privilege or protection is not waived by disclosure connected with the litigation  
20 pending before the court. The parties having stipulated, and good cause appearing,

21 IT IS HEREBY ORDERED, pursuant to Federal Rule of Evidence 502, that

22 1. The inadvertent disclosure, in oral or written form, of any information which  
23 would otherwise be protected by Federal Rule of Evidence 501, Federal Rule of Evidence 502,  
24 or Division 8 (commencing at section 900) of the California Evidence Code, shall not operate as  
25 a waiver of the applicable privilege or the work-product protection.

26 2. Pursuant to Federal Rule of Evidence 502(d), any disclosure protected by this  
27 Order also is not a waiver of the applicable privileges or work-product protection in any other  
28 Federal or State proceeding.

1           3.       Should counsel for any party receive a document which he or she reasonably  
2 believes contains material protected by a privilege under Federal Rule of Evidence 501, Federal  
3 Rule of Evidence 502 or Division 8 (commencing at section 900) of the California Evidence  
4 Code, counsel shall immediately notify counsel for the holder of the privilege and shall return  
5 all copies of the document upon request, without waiving the receiving party's right to seek an  
6 order from the Court that the document(s) in question are not privileged.

7 IT IS SO ORDERED.

8 DATED: July 14, 2017

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