

FROM

(THU) DEC 16 2010 17:20/ST. 17:19/No. 7500000004 P 1

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 14 UNITED STATES OF AMERICA

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 OAKLAND DIVISION
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| 19 YUEN HAN LI and JUDY YUEN LI d.b.a.) GOLDEN WELL,) 20) Plaintiff,) 21) v.) 22) UNITED STATES OF AMERICA,) 23) Defendant.) 24) | No. C 10-02488 LB STIPULATION AND [PROPOSED] PROTECTIVE ORDER RE: CONFIDENTIAL INFORMATION TO BE PRODUCED BY DEFENDANT |
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25 Subject to the approval of this Court, the parties hereby stipulate to the following
 26 protective order:

27 The parties agree that entry of the following protective order is necessary in order to
 28 protect the confidential proprietary information of retail markets participating in the

STIP. & [PROPOSED] PROTECTIVE ORDER RE: CONFIDENTIAL INFO. TO BE PRODUCED BY DEF.
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1 Supplemental Nutrition Assistance Program ("SNAP") and/or the confidential personal
2 information of SNAP recipients, such as their names, home addresses and social security
3 numbers. The parties therefore request that the Court enter the following stipulated protective
4 order.

5 **STIPULATED PROTECTIVE ORDER**

6 All documents and electronically stored information produced by defendant in this action
7 which are designated in writing as being "Produced Under Protective Order" (the "Protected
8 Documents") shall be subject to the following restrictions:

9 1. All information therein shall be used only for the purpose of this litigation and not
10 for any other purpose;

11 2. No information therein shall be disclosed to anyone other than (a) the attorneys
12 employed by plaintiff and its staff; (b) the parties; (c) actual or potential third-party witnesses;
13 (d) outside experts or consultants retained by any of the parties or their counsel for purposes of
14 this litigation; (e) the Court in further proceedings herein; (f) stenographic deposition reporters;
15 and (g) other persons upon whom the parties mutually agree in writing;

16 3. There shall be no reproduction of the Protected Documents except that, as
17 required by the litigation, copies, excerpts, or summaries may be shown to those authorized in
18 Paragraph 2;

19 4. Except as otherwise provided in Paragraphs 2 and 3, all of the Protected
20 Documents produced to plaintiffs shall remain in the custody of plaintiffs' attorneys of record
21 during the pendency of the litigation;

22 5. No later than thirty (30) days after final determination of this litigation, including
23 any appeals, plaintiffs' attorneys shall destroy or return to defendant's counsel all of the
24 Protected Documents produced to plaintiffs, including any copies, extracts or summaries thereof.
25 If the Protected Documents are destroyed, plaintiffs' attorneys shall so notify defendant's
26 counsel in writing within seven (7) days of the destruction. Notwithstanding this paragraph,
27 however, plaintiffs' attorneys may retain one copy of each pleading and other document filed
28 with the Court that contains any Protected Document; and

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1 6. This Stipulation and Protective Order is without prejudice to the right of any party
 2 to seek modification of it from the Court. It shall remain in effect until such time as it is
 3 modified, amended or rescinded by the Court and shall survive termination of this action. The
 4 Court shall have continuing jurisdiction to modify, amend, rescind or enforce this Stipulation
 5 and Protective Order notwithstanding the termination of this action.

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DATED: 12/16/10

By: 

 KELLY T. SMITH
 JOSE F. VERGARA
 Attorneys for Plaintiffs

MELINDA L. HAAG
 United States Attorney


DATED: 12/17/10

By: 

 NEILL T. TSENG
 Assistant United States Attorney
 Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: 12/21/10



 HONORABLE LAUREL BEELER
 UNITED STATES MAGISTRATE JUDGE