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5 Attorney for Plaintiff  
6 HILARIO MARTINEZ  
7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 HILARIO MARTINEZ, ) Case No.: C11-01017 SBA (LB)  
11 Plaintiff, )  
12 v. ) STIPULATED PROTECTIVE  
13 CITY OF PITTSBURG; ) ORDER  
14 CITY OF PITTSBURG POLICE DEPARTMENT;  
15 DANIEL BUCK, individually and as an Officer of  
the CITY OF PITTSBURG POLICE  
16 DEPARTMENT (Badge #293);  
CHUNLIAM SAECHAO, individually and as an  
Officer of the CITY OF PITTSBURG POLICE  
17 DEPARTMENT (Badge #288);  
RYAN WILKIE, individually and as an Officer of  
the CITY OF PITTSBURG POLICE  
18 DEPARTMENT (Badge #265);  
BRIAN SCOTT, individually and as an Officer of  
the CITY OF PITTSBURG POLICE  
19 DEPARTMENT (Badge #292); and  
20 DOES 1 – 100, inclusive,  
21 Defendants.

22  
23 It is hereby agreed by and between the Office of the District Attorney of Contra Costa  
24 County by and through Counsel, Brian Michael Feinberg, Deputy District Attorney, and  
25 Plaintiff, Hilario Martinez, by and through Counsel, Panos Lagos, that the documents sought  
26 pursuant to Plaintiff's Subpoena Duces Tecum for the production of documents and things  
27 constituting the entire District Attorney file in *People v. Hilario Martinez*, Contra Costa County  
28 Case No.: 162025-1, served upon the Office of the District Attorney of Contra Costa County on

STIPULATED PROTECTIVE ORDER

- 1 -

1 July 27, 2011, is subject to the following Protective Order:

- 2 1. The confidential information shall be used only in the above-captioned matter;
- 3 2. The confidential information produced can be shared with:
  - 4 a. Plaintiff;
  - 5 b. Plaintiff's counsel, and any counsel associated with Plaintiff's counsel, and who  
have signed the "Acknowledgment and Agreement to be Bound" (Exhibit A);
  - 6 c. Defendants' counsel and their clients ("Defendants" herein) and who have signed  
the "Acknowledgment and Agreement to be Bound" (Exhibit A);
  - 7 d. Experts of either Plaintiff or Defendants to whom the disclosure is reasonably  
necessary for this litigation and who have signed the "Acknowledgment and  
Agreement to be Bound" (Exhibit A);
  - 8 e. The Court and its personnel, court reporters and their staff, professional jury or  
trial consultants, mock jurors, and professional vendors to whom disclosure is  
reasonably necessary for this litigation and who have signed the  
"Acknowledgment and Agreement to be Bound" (Exhibit A);
  - 9 f. Witnesses in the action, during their depositions, to whom disclosure is  
reasonably necessary and who have signed the "Acknowledgment and Agreement  
to be Bound" (Exhibit A);
  - 10 g. The author or recipient of a document containing the information or a custodian  
or other person who otherwise possessed or knew the information;
  - 11 h. For trial.

12 Pages of transcribed deposition testimony or exhibits to depositions that reveal  
13 protected material must be separately bound by the court reporter and may not be  
14 disclosed to anyone except as permitted under this Stipulated Protective Order.

15

- 16 3. Plaintiff shall maintain the confidential information in his custody, control and  
17 access.

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19 ///

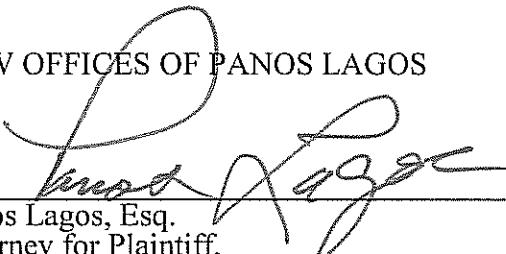
1           4. The confidential information shall not be stored in any type of document or  
2           information retrieval system, database, or any format of compilation for such  
3           information.  
4           5. The confidential information shall be destroyed upon completion of the above-  
5           captioned matter.

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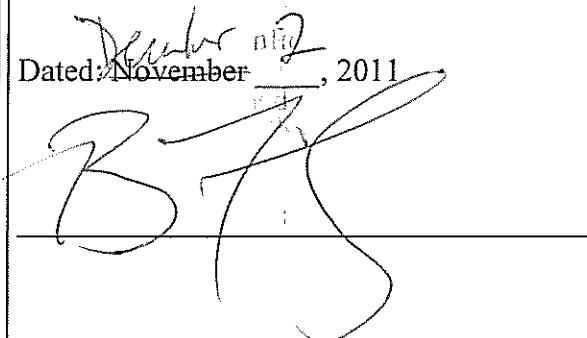
7           IT IS SO STIPULATED, THROUGH COUNSEL AS AFORE DESCRIBED.

8           December 2  
9           Dated: November 2, 2011

10           LAW OFFICES OF PANOS LAGOS

11             
12           Panos Lagos, Esq.  
13           Attorney for Plaintiff,  
14           HILARIO MARTINEZ

15           December 2  
16           Dated: November 2, 2011

17             
18           Office of the District Attorney,  
19           County of Contra Costa County

20           By: Brian Michael Feinberg  
21           Deputy District Attorney

22           PURSUANT TO STIPULATION, IT IS SO ORDERED.

23           December 21, 2011  
24           Dated: \_\_\_\_\_

25             
26           LAUREL BEELER  
27           United States Magistrate Judge

EXHIBIT A

## ACKNOWLEDGEMENT AND AGREEMENT TO BE BOUND

I, \_\_\_\_\_ [print or type full name],

of \_\_\_\_\_ [print or type full address], declare under penalty of perjury that I have read in its entirety and understand the Stipulated Protective Order that was issued by the United States District Court for the Northern District of California on \_\_\_\_\_ [date of order] in the case of *Martinez v. City of Pittsburg, et al.*, Case No.: C11-01017 SBA. I agree to comply with and to be bound by all the terms of this Stipulated Protective Order and I understand and acknowledge that failure to so comply could expose me to sanctions and punishment in the nature of contempt. I solemnly promise that I will not disclose in any manner any information or item that is subject to this Stipulated Protective Order to any person or entity except in strict compliance with the provisions of this Order.

I further agree to submit to the jurisdiction of the United States District Court for the  
add  
Northern District of California for the purpose of enforcing the terms of this Stipulated Protective  
add  
Order, even if such enforcement proceedings occur after termination of this action.

I hereby appoint \_\_\_\_\_

[print or type full name] of \_\_\_\_\_  
[print or type full address and telephone number] as my California agent for service of process in  
connection with this action or any proceedings related to enforcement of this Stipulated  
Protective Order.

Date:

City and State where sworn and signed:

Printed name: \_\_\_\_\_  
[printed name]

Signature: \_\_\_\_\_  
[signature]