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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ESTATE OF ALAN KOSAKOFF, by its)
personal representative HAROLD KOSAKOFF,)
ARLENE KOSAKOFF, an individual,)
HAROLD KOSAKOFF, an individual,)

Plaintiffs,)

v.)

CITY OF SAN DIEGO, a municipal)
corporation, SAN DIEGO POLICE)
DEPARTMENT, WILLIAM LANDSDOWNE,)
an individual, Officer Gottfried, an individual,)
Officer Lenahan, an individual, Officer Douglas,)
an individual, and DOES 1-100 inclusive,)

Defendants.)

Case No. 08cv1819 IEG (NLS)

**ORDER GRANTING JOINT MOTION
TO PRODUCE PSYCHOLOGICAL/
PSYCHIATRIC RECORDS AND
PROTECTIVE ORDER**

[Doc. No. 30]

WHEREAS Defendant, City of San Diego, is seeking psychological and/or psychiatric records of Decedent, ALAN KOSAKOFF,

WHEREAS some medical treaters will not release said records absent a court order, and

WHEREAS said records are material to the defense of this lawsuit:

IT IS HEREBY ORDERED that during this action, the following records shall be released to counsel of record in this action, subject to the conditions set forth below: The psychological and/or psychiatric records of Decedent, ALAN KOSAKOFF.

///

1 1. CUSTODY. These records shall be in the constructive custody and shall be subject to
2 the control of the U.S. District Court. All records shall remain in the physical custody of the
3 attorney(s) to whom they were released pursuant to this order. No records shall be duplicated,
4 copied, or disseminated except as authorized in this order or by further court order after properly
5 noticed motion.

6 2. USE OF RECORDS. All records produced under this Protective Order are to be used
7 solely for the purposes of this action and for no other purposes. Persons having access to the
8 records shall not disclose or provide them to any person not authorized under this Protective
9 Order. No records may be made available to, or in any manner revealed to or discussed with any
10 other entity except: (1) solely in accordance with the procedures set forth in this Protective Order,
11 (2) upon the express written permission of counsel for the producing entity, or (3) upon the
12 direction or with the permission of a Magistrate or Judge of the U. S. District Court.

13 3. PARTIES' ACCESS. Records may be reviewed by the Plaintiffs or their Counsel, his
14 staff and by Defense Counsel, Defense Counsel's investigator(s) and Defense Counsel's Legal
15 Assistants.

16 4. OTHER AUTHORIZED PERSONS. Records may also be reviewed by any expert
17 employed by counsel for the parties on the condition that counsel shall obtain from the expert a
18 signed declaration acknowledging that he or she is familiar with, and takes possession of these
19 records pursuant to the terms of this order.

20 5. DISPOSITION OF RECORDS AT CONCLUSION OF PROCEEDINGS. All records
21 shall be returned to the Plaintiffs' Counsel within twenty (20) days after the conclusion of the
22 litigation, including all writs and appeals.

23 This Court, having reviewed the matter as stated above and finding good cause therefor,
24 approves the Order to Produce Psychological/Psychiatric Records, in accordance with the terms
25 set in the Joint Motion for Production.

26 Dated: August 31, 2009



NITA L. STORMES
U.S. Magistrate Judge