

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02649-WYD-MJW

DONALD HEICHEL, and
JUDY HEICHEL,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

PROTECTIVE ORDER (Docket No 18-2)

Plaintiffs' discovery requests may seek the Defendant's production of information and records about non-parties to this action that may be covered by (or subject to) the Privacy Act of 1974, 5 U.S.C. § 552a. As such, Defendant objects to the disclosure of the requested information and records unless the disclosure is authorized pursuant to a Protective Order.

Thus, pursuant to 5 U.S.C. § 552a(b)(11), and Fed. R. Civ. P. 26(c), IT IS HEREBY ORDERED:

1. Defendant is authorized to release information and documents responsive to Plaintiffs' discovery requests to Defendant that may be covered by the Privacy Act, including information and documents retrieved from systems of records indexed under the names or other identifying numbers or symbols of non-parties to this action.

2. Plaintiffs shall not further disclose the records, or the information contained therein, to anyone except persons employed or utilized by Plaintiffs, if any, to assist in this litigation.

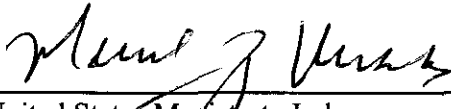
Plaintiffs shall require all persons having access to any disclosed records to sign a document indicating that they have read and agree to be bound by the terms of this Protective Order, and that they shall not make further disclosure of the records or information contained therein.

3. Plaintiffs and all other persons provided access to the records shall not use the records or the information contained therein for any purpose other than this pending litigation. At the conclusion of this litigation, all copies of the records shall be returned to the counsel for Defendant, or, in the alternative, counsel for Plaintiffs shall certify that all such records have been destroyed.

4. Defendant shall designate all documents protected by this Order as "confidential," and all documents so designated shall be deemed to fall within the scope of this Order.

DATED: March 13, 2009.

BY THE COURT:



United States Magistrate Judge
MICHAEL J. WATANABE
U.S. MAGISTRATE JUDGE
DISTRICT OF COLORADO