

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 009-cv-2276-RPM

TAMMY HENDERSON, WILLIAM BOMAR and TRAVIS RODE,

Plaintiffs,

vs.

MONUMENTAL LIFE INSURANCE COMPANY

Defendant.

STIPULATED CONFIDENTIALITY ORDER

The parties hereby stipulate to the following:

1. This action involves allegations of breach of insurance contract and bad faith.

Plaintiffs seek through internal guidelines and related documents of the Defendant Monumental Life Insurance Co. and its corporate affiliates and employees and agents (collectively, defendants). Such records are not available to the public and are considered and treated by Defendants as confidential. Any guideline or any other document which Defendants wish to include within this agreement (collectively, "guidelines") shall be marked "Subject to protective order *Henderson v. Monumental Life*, No. 09-2256 (D.Colo.)."

2. In light of the allegations of this case, plaintiff and defendants agree that these guidelines and records may be relevant for discovery purposes. By producing these guidelines in discovery neither plaintiff nor defendants takes any position on their admissibility for other purposes, such admissibility to be determined at the appropriate later time.

3. Plaintiffs and their counsel agree that documents subject to this agreement (i.e., guidelines and other documents marked "Subject to protective order *Henderson v. Monumental Life*, No. 09-2256 (D.Colo.)" will be protected as follows:

(a) Such documents shall remain confidential and not be disclosed by plaintiffs or counsel for plaintiffs to any person not legitimately connected with this lawsuit and only as provided herein;

(b) The control and distribution of these documents shall be the responsibility of the Plaintiffs' attorneys of record, who, if they provide these documents to experts or other third persons who are legitimately connected to this lawsuit, agree (i) to first disclose to the Defendants' counsel the identity of such person, (ii), before providing such documents to any third person, obtain such third person's written agreement to not further distribute the documents to other persons, and to destroy the documents at the conclusion of the case, and provide a certificate of destruction which will be provided forthwith to the Defendants' counsel (iii) provide a copy of such written agreement to opposing counsel within one week providing the documents to such their person;

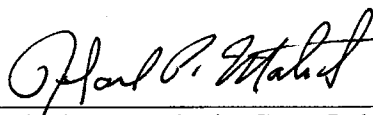
(c) If either party wishes to use any document protected hereunder in connection with a pretrial motion, including a motion for summary judgment, the document shall be attached to the motion or other filing in an envelope marked confidential; If the court requires a different procedure for maintaining the confidentiality of documents in the e-filing system, such procedure shall be followed;

(d) If either party offers a document protected hereunder into evidence at trial, such document, if admitted, shall be, upon publication of same to the jury, and upon the jury's returning of the verdict, be placed into an envelope marked "confidential"; and

(e) That upon conclusion of this litigation, any and all copies of these confidential documents shall be returned to counsel for defendants, or shall be destroyed by plaintiffs' counsel, who shall so certify to defendant's counsel. Counsel for Plaintiffs agrees to retrieve and destroy all documents subject hereto from experts and other persons who are permitted hereunder to receive copies of confidential documents subject hereto, or to obtain a certificate of destruction from such third parties, and provide same to Defendants' counsel.

4. The parties agree that counsel for Defendants shall file the Motion for Entry of Stipulated Confidentiality Order, which has been provided in advance to Plaintiffs' counsel, who as approved the form of such motion.

SO ORDERED:




United States District Court Judge

Dated: June 7, 2010.

STIPULATED AND APPROVED:

s/ James E. Gigax



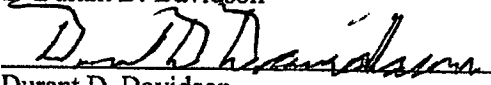
James E. Gigax

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Attorney for Defendant

Dated: 6/2/10

S/ Durant D. Davidson



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Attorneys for Plaintiffs

Dated: 6/4/2010