

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

Civil Action No. 15-cv-02233-MJW

TRANS-WEST, INC., a Colorado corporation,
dba TRANSWEST TRUCK TRAILER RV,

Plaintiff,

v.

SOUTHWEST LUXURY COACH SALES, LLC,
an Arizona limited liability company; and SCOTT
BUCHANAN, an individual,

Defendants.

STIPULATED PROTECTIVE ORDER (Docket No. 31-1)

The Court, having considered the parties' Stipulated Motion for Protective Order, hereby
ORDERS as follows:

1. This Protective Order shall govern discovery and document production between the parties in the above-referenced action.
2. For purposes of this Protective Order, the term "Confidential Information" shall refer to information which any party believes in good faith to be:
 - a. A trade secret or other confidential research, development or commercial information within the meaning of Fed. R. Civ. P. 26(c)(1)(G); or
 - b. Confidential non-public personal information that is protected from disclosure by statute or regulation.
3. Whenever any party desires to designate information contained in a document as Confidential Information, the designating party shall conspicuously mark each page of the

document with the word “CONFIDENTIAL” before the document is delivered to the requesting party.

4. Whenever any party desires to designate deposition testimony as Confidential Information, counsel for the designating party shall designate on the record of the deposition what testimony shall be so designated, and may also, within 30 days of receipt of the transcript, designate further portions of the transcript as Confidential Information by notifying all parties to this litigation in writing.

5. Designations of information as Confidential Information shall be reasonably limited both in subject matter and in time.

6. Documents, information, and/or testimony designated as Confidential Information shall not, without the consent of the designating party or further order of the Court, be disclosed to anyone other than:

- a. Attorneys working on this matter on behalf of any party to this litigation, the attorneys' employees and third parties the attorneys retain to provide litigation support services;
- b. The parties, including their designated representatives;
- c. Any person who is identified as the author or recipient of the Confidential Information;
- d. Expert witnesses and consultants retained in connection with the litigation who agree to be bound by this Protective Order;
- e. Deposition or trial witnesses;
- f. The Court and its employees and jurors;
- g. Mediators or similar outside parties that the parties agree to enlist to assist with settlement;
- h. Stenographic reporters who are engaged in connection with the litigation;

- i. Parties in related litigation, provided such parties are subject to a protective order that is substantially similar to this Protective Order; and
- j. Other persons by written agreement of the parties.

7. If any portion of a document or deposition that contains Confidential Information is going to be filed with the Court, then the filing party must first file a motion to restrict public access pursuant to D.C.COLO.LCivR 7.2.

8. In the event that any party intends to use information designated as Confidential Information in any Court proceeding in this action, counsel shall advise the designating party of its intent to do so reasonably in advance of the intended use. At that point, the designating party may seek such protection from the Court as it deems appropriate, including the exclusions of persons and witnesses from the Court and relief under D.C.COLO.LCivR 7.2.

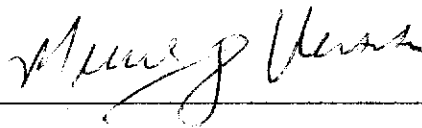
9. The parties may move the Court for a ruling that the documents or testimony designated as Confidential has not been properly designated. Until such time as the Court rules on such motion, the parties shall treat the documents and information as though it were properly designated.

10. Nothing in this Order shall prevent any party or other person from seeking modification of this Order or from objecting to discovery that it believes to be otherwise improper.

ORDERED this 21ST day of December, 2015.

BY THE COURT

By: _____



23122830.1