

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHEILA CLARKE, as Personal
Representative for The Estate of JANIKA
NICOLE EDMOND, deceased,

Plaintiff,

v

MICHIGAN DEPARTMENT OF
CORRECTIONS, WARDEN ANTHONY
STEWART, individually and in his official
capacity; DEPUTY WARDEN DAVID
JOHNSON, individually and in his official
capacity; DEPUTY WARDEN
OSTERHOUT, individually and in his
official capacity; CO DIANNA
CALLAHAN, individually and in her
official capacity; A/RUM KORY MOORE,
individually and in his official capacity;
CO R'KIA TAYLOR, individually and in
his official capacity; SGT. KRISTA
SURBIC, individually and in her official
capacity; SGT. LOREN HAILES,
individually and in her official capacity;
CO HEATHER WASHINGTON,
individually and in her official capacity;
CO JOHANNA BARTEL, individually and
in her official capacity; CO ALEXIA
JOHNSON, individually and in her official
capacity; CO LASHAWNA DONALD,
individually and in her official capacity;
CO TRACY MAUPINS, individually and
in her official capacity; RN MARCIA
PORTER, individually and in her official
capacity, jointly and severally,

No. 2:17-cv-10528

HON. ROBERT H.
CLELAND

MAG. DAVID R. GRAND

Defendants.

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Lisa Geminick (P60964)
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Stewart, D. Johnson, Osterhout,
Taylor, Surbic, Hailes, Washington,
Bartel, A. Johnson, Donald and
Maupins
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**STIPULATED PROTECTIVE ORDER REGARDING
VIDEOS**

The parties concur, and the Court has determined that, surveillance video(s) (“video”) produced by the MDOC is subject to the terms of this protective order for safety and security concerns of the prison facilities, prison staff, visitors and the general public, and

prisoners. The release of surveillance video outside of the strictures of this protective order could compromise the ability of the MDOC to maintain order and security in its facilities.

These surveillance video(s) is marked as “confidential” and “attorney eyes only”. The surveillance video may be reviewed only by counsel of record in reference to this litigation; the surveillance video is not to be released to or viewed by the general public or any current or former prisoner of the MDOC. The surveillance video shall not be copied or saved to any computer. This prohibition includes any portions of the surveillance video. Nor may any portions of the surveillance video be shown, provided to, or otherwise published to any prisoner, former prisoner, or any other person not a Defendant in this case or employed by the MDOC, absent further order of the Court or stipulation by the MDOC.

The surveillance video may be used by counsel for the parties, their staff, and any expert witness retained by them solely for the purpose of this litigation. The surveillance video may not be disseminated to or kept by any witness and may not be shown to any person incarcerated by the MDOC. The surveillance video shall be

returned at the conclusion of this case to Rock Wood, Assistant Attorney General (or his successor), for disposition by the MDOC.

The surveillance video may not be filed with the Court or the Clerk of the Court unless filed under seal in accordance with Fed. R. Civ. P. 5.2 and local court rules. If the surveillance video is used as an exhibit to any deposition, then any portions of the deposition transcript discussing the surveillance video shall be covered by the terms of this protective order, and if any such portions of the deposition transcript are filed with the Court, they must be filed under seal in accordance with Fed. R. Civ. P. 5.2 and local court rules.

The parties agree that if any of the surveillance video subject to this protective order is deemed admissible at trial that the Court will not retain the surveillance video and it shall be returned to the Defendants' counsel.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 25, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, October 25, 2017, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522

Stipulated and Approved for Entry:

s/Cary S. McGehee (w/consent)
Cary S. McGehee (P42318)
Attorney for Plaintiff

Date: October 18, 2017

s/Rock Wood
Rock Wood (P41181)
Defendants MDOC, Stewart, D. Johnson,
Osterhout, Taylor, Surbic, Washington,
Hailes, Bartel, A. Johnson, Donald
and Maupins

Date: October 18, 2017

s/Stephen J. Francis (w/consent)
Stephen J. Francis (P55473)
Attorneys for Defendant Kory Moore

Date: October 18, 2017