

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

PLAN PROS, INC.,)
)
Plaintiff,)
)
 vs.)
)
**WILLIAM J. TORCZON; INFINITY)
 HOMES, INC.; COBBLESTONE HOMES,)
 INC.; BRIAN W. TORCZON; DARLENE)
 M. TORCZON; CHRIS WILDRICK;)
 EDWARD BLAINE; and NP DODGE)
 REAL ESTATE SALES, INC.,)
)
Defendants.)**

8:08CV136

PROTECTIVE ORDER

This matter is before the magistrate judge on the defendants' motion (Doc. 95) for a protective order governing the production of confidential financial information. Plaintiff timely advised the court that there is no objection, and the court finds that the motion should be granted.

IT IS ORDERED that the motion (Doc. 95) is granted, as follows:

1. The purpose of this protective order is to ensure that confidential or proprietary information and documents disclosed through the course of discovery in this lawsuit is not used or disclosed by any party for any purpose other than the instant litigation.
2. This protective order shall apply to the parties and their agents, attorneys, and experts.
3. "Confidential Information" shall include the parties' financial records and information and shall also include customer lists.
4. The parties shall not disclose any Confidential Information to any person who is not a party to this litigation, during or after the pendency of this case. Nor shall Confidential Information

be used for any purpose other than the prosecution or defense of this case, unless required by law or permitted by order of this court.

5. Confidential Information may be disclosed to the court, court personnel, jurors or mediators without the prior approval of the disclosing party. However, if any party wishes to file the Confidential Information of another party, the party shall file said information with restricted access pursuant to the E-Government Act using the procedure set out in NECivR 5.0.3.

6. The parties shall not make or permit the making of more copies of any Confidential Information than are reasonably necessary for the conduct of settlement negotiations, discovery, or trial preparation of this case.

7. Upon final resolution of this case, the parties shall return all copies of the Confidential Information to the disclosing party and shall not keep any copy of same.

8. Any dispute arising under this Protective Order shall be submitted to the court for resolution.

9. All provisions of this Protective Order restricting the use, disclosure or communication of any Confidential Information shall continue to be binding on the parties, and their successors, assigns and heirs, after the conclusion of this action.

DATED October 7, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**