

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

METROPOLITAN OMAHA PROPERTY OWNERS ASSOCIATION, INC.,)
)
)
) **Plaintiff,**)
)
) **vs.**)
)
) **CITY OF OMAHA, MICHAEL O. JOHNSON,**)
GREG PETERSEN, KEVIN DENKER,)
JANE DOES, and JOHN DOES,)
)
) **Defendants.**)

CASE NO. 8:13CV230

PROTECTIVE ORDER

This matter is before the Court upon the Motion for a Protective Order by the Defendants, and the Plaintiff’s approval of the same. The Motion relates to the City of Omaha’s employment files on Michael O. Johnson, Greg Petersen, and Kevin Denker, sought by the Plaintiff in its Requests for Production of Documents Nos. 1, 2, and 3. The Defendants seek to limit dissemination of the files, under the terms of this stipulated Protective Order.

The following Protective Order is found to be appropriate.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. Subject to the terms of this Order the Defendant City of Omaha shall provide to the Plaintiff’s counsel one copy of the employment files of Michael O. Johnson, Greg Petersen, and Kevin Denker (“the Confidential Material”).
2. The Defendants may redact from the Confidential Material the individual Defendants’ social security numbers, medical information, and insurance beneficiaries, family member names, home addresses, and personal phone numbers.
3. The said files produced by the City of Omaha shall be marked “CONFIDENTIAL MATERIAL” and shall be maintained by the Plaintiff’s counsel and any other person receiving it separate from, and not commingled with, any other document or items.
4. Except as provided herein or upon further order of the Court, no portion of the Confidential Material nor any description or summary of its contents may be revealed to any person or entity except: (i) counsel for parties in this action and those secretaries or paralegals

employed by counsel on a regular basis who are assisting counsel in this action; (ii) the parties in the action and their representatives or agents; (iii) employees of the City of Omaha testifying at a hearing or in a deposition; (iv) a person retained by a party as an expert expected to testify at a hearing; and (v) the Court and its staff.

5. All persons receiving a copy of the Confidential Material shall be given a copy of this Protective Order and shall be subject to the terms of this Protective Order. All copies shall be considered to be included within the term “Confidential Material” as used in this Order and possession and use of any copy shall be subject to the terms of this Protective Order to the same extent as the original material.

6. All Confidential Material shall be viewed and/or used only for purposes of preparing and presenting this matter before the Court and or a jury.

7. At the conclusion of this action all Confidential Material, including all copies, received pursuant to this Order shall be returned to the counsel for the Defendants. This Protective Order shall not terminate upon the conclusion of this action but shall continue until further order or until the City of Omaha has waived confidentiality in writing.

8. The Court may impose sanctions with respect to any party or any party’s attorney or any other person or entity violating this Protective Order.

9. This Protective Order may be amended by the agreement of the parties or leave of the Court upon Motion.

DATED January 29, 2014.

BY THE COURT:

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