

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

**CORY GOTCH,**

**Plaintiff,**

**vs.**

**MILK SPECIALTIES COMPANY,**

**Defendant.**

**8:15CV350**

**PROTECTIVE ORDER**

This matter comes before the court on the parties' Joint Motion for Entry of Stipulated Protective Order (Filing No. 12), and the Court being fully advised in the premises finds that the requested relief should be granted as follows:

**IT IS THEREFORE ORDERED** all information, documents, photographic evidence, and testimony produced and obtained during the course of discovery which the producing party claims constitute or contain trade secrets, confidential business information, or competitively sensitive data and has therefore marked or otherwise designated as confidential, specifically including but not limited to any and all photographs or videos of the defendant's premises, shall only be disseminated as follows:

- To the parties, their claim administrators, and their counsel, including firm lawyers, firm paralegals, and firm support personnel who are working on this action with counsel, who shall collectively be bound by a written agreement not to disseminate, signed by counsel, in the form attached hereto as Exhibit A;
- To persons employed by counsel as vendors, consultants or expert witnesses or consultants in this action, who shall also be bound by and execute a written agreement not to disseminate, in the form attached hereto as Exhibit A;
- To judges, court personnel, and the jury in this action under restricted access pursuant to NECivR 5.3; and
- To certified court reporters acting as such.

**IT IS FURTHER ORDERED** the written agreement not to disseminate, titled Nondisclosure Agreement, attached to this Protective Order as Exhibit A, is incorporated herein; that all confidential documents filed shall be filed under restricted access pursuant to the provisions of the Local Rules of the this Court 5.3 and 7.5; and nothing in this Protective Order shall prevent any party from seeking such additional or further protection as deemed necessary or appropriate to protect documents or information subject to discovery herein;

**IT IS FURTHER ORDERED** nothing herein shall preclude a party from challenging the designation of any information, document, or testimony as confidential, by notifying counsel for the disclosing party in writing of such objection, specifying with particularity the material believed to be improperly classified and the basis for the contention that such material should not be designated as confidential, whereupon counsel for the parties shall negotiate in good faith to resolve the dispute over such designation, and only upon failure to resolve such dispute, counsel for the disclosing party may file a motion seeking appropriate relief; provided, however, that in the absence of resolution or motion within 30 days of service of such objection, the information, document or testimony at issue will no longer be considered confidential;

**IT IS FURTHER ORDERED** the obligations imposed by this Protective Order shall survive the termination of this action and any related actions.

Dated this 3rd day of March, 2016.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge