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*Attorneys for Plaintiff Linda Franulovic and the Class*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**Linda Franulovic**, individually and on behalf  
of a class of persons,

Plaintiff,

v.

**The Coca-Cola Company**,  
Defendant.

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Civil Action No. 1:07-cv-00539-RMB-JS

**NOTICE OF MOTION FOR PROTECTIVE ORDER REGARDING  
PLAINTIFF'S MEDICAL AND EMPLOYMENT RECORDS**

**TO:** Gita F. Rothschild, Esquire  
Peter J. Boyer, Esquire  
McCarter & English, LLP  
Four Gateway Center  
100 Mulberry Street  
P.O. Box 652  
Newark, NJ 07102-0652

**PLEASE TAKE NOTICE** that, pursuant to the Court's June 6, 2008 Amended Scheduling Order, on August 4, 2008 at 2:00pm the undersigned, Mark R. Cuker, Esquire, of the law firm of WILLIAMS CUKER BEREZOFSKY, co-counsel for Plaintiff Linda Franulovic, shall make application before the United States District Court for the District of New Jersey, for a protective order pursuant to Fed. R. Civ. P. 26(c)(1) prohibiting Defendant The Coca-Cola Company from obtaining discovery of Plaintiff's medical and employment records. In support of this motion, the undersigned shall rely upon the attached memorandum of law. A proposed form of Order also is attached.

**PLEASE TAKE FURTHER NOTICE** that the Court has scheduled oral argument on Plaintiff's motion to be held on August 4, 2008 at 2:00 p.m., in Courtroom 3C.

WILLIAMS CUKER BEREZOFSKY  
Co-Counsel for Plaintiff

By: \_\_\_\_\_




Mark R. Cuker

Dated: June 27, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice of Motion for Protective Order and all papers submitted in support thereof have been served upon Defendant via ECF upon the following counsel:

Gita F. Rothschild, Esquire  
Peter J. Boyer, Esquire  
McCarter & English, LLP  
Four Gateway Center  
100 Mulberry Street  
P.O. Box 652  
Newark, NJ 07102-0652

  
\_\_\_\_\_  
Mark R. Cuker, Esq.

Dated: June 27, 2008

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**ORDER GRANTING PROTECTIVE ORDER PURSUANT  
TO FEDERAL RULE OF CIVIL PROCEDURE 26(c)(1)**

**THIS MATTER** having come before the Court on the motion of Mark R. Cuker, co-counsel for the Plaintiff, Linda Franulovic, upon notice to all counsel, and the Court having considered the motion papers and supporting memorandum of law, and the Court having found for good cause shown.

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2008;

**ORDERED** that pursuant to Federal Rule of Civil Procedure 26(c)(1), Defendant is hereby prohibited from obtaining copies of any of Plaintiff's medical or employment records through discovery.

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U.S.D.C.M.J.

( ) Opposed

( ) Unopposed