

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:16-cv-132-FL

DAVID CHRISTOPHER JUSTICE and
LISA JUSTICE,

Plaintiffs,

v.

GREYHOUND LINES, INC.
and J.L. ROBINSON,

Defendants.

CONSENT PROTECTIVE ORDER

COME NOW, Plaintiffs David Christopher Justice and Lisa Justice, Defendants Greyhound Lines, Inc. and J.L. Robinson, and the North Carolina Department of Public Safety (“DPS”), and jointly petition this Court pursuant to N.C. Gen. Stat. § 131-1.4 for entry of a Consent Protective Order.

BACKGROUND

This is a contested liability case arising from a motor vehicle accident that occurred on December 24, 2014 involving a Greyhound bus and a Chevy Tahoe owned by the North Carolina State Highway Patrol (“NCSHP”) and operated by Trooper David Justice. On March 7, 2016, Defendants served a subpoena on DPS seeking the NCSHP’s investigative file regarding the accident in question. DPS produced some file materials but objected to producing other documents on grounds that a criminal proceeding stemming from the same accident is still ongoing. Now, both Plaintiffs and Defendants are seeking the complete investigative file from the NCSHP and DPS. Because this Court has entered a discovery scheduling order, and the parties have agreed to a discovery deadline, the parties submit this Consent Protective Order as an alternative to avoid filing a Motion to Compel.

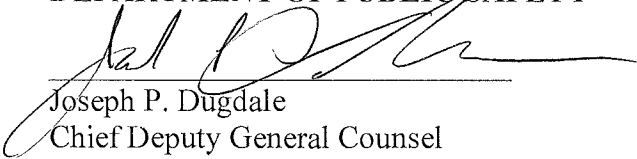
ORDER

Pursuant to this Consent Protective Order, on or before June 10, 2016 the NCSHP and DPS shall produce the entire investigative file related to the subject accident identified by Accident Report #104283022. Any information contained in said file shall be used solely for the pending litigation, and shall not be used or disclosed by counsel for any other purpose, and shall not be distributed publically. Nothing in this Order, however, shall prevent Plaintiffs or Defendants from using such material for any purpose in prosecuting or defending litigation related to the December 24, 2014 accident described in the Complaint.

Dated this 22nd day of June, 2016.

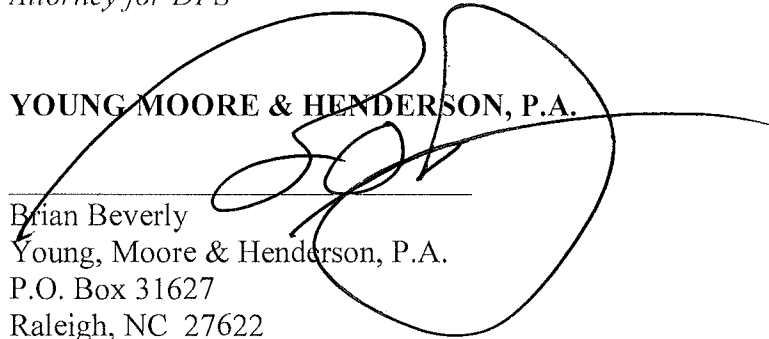
CONSENTED:

DEPARTMENT OF PUBLIC SAFETY



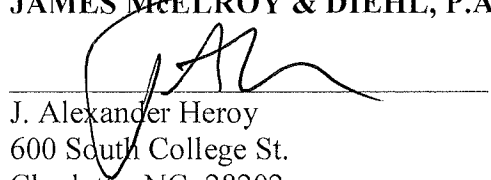
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CONSENT PROTECTIVE ORDER

Per the consent of the parties, it is **SO STIPULATED AND ORDERED**.

This the 23rd day of _____ June, 2016.



The Honorable Louise W. Flanagan
United States District Court Judge