

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO

JOHN TIMOTHY FRANKO.,	)	
	)	CASE NO. 1:07CV0547
Plaintiff,	)	
	)	JUDGE BOYKO
vs.	)	
	)	<b><u>PROPOSED AGREED PROTECTIVE</u></b>
CITY OF CLEVELAND,	)	<b><u>ORDER</u></b>
	)	
Defendant.	)	

The parties agree to keep confidential the investigative reports, records, statements, photographs, tests, medical records, examinations, drawings, logs, memorandum, notes, summaries and all other documents prepared, examined, gathered or compiled by the City of Cleveland Division of Police in its investigation of use of deadly and non-deadly force cases, which the City of Cleveland believes contains items which are not public records under Ohio Revised Code Chapter 149, such as confidential law enforcement records of the Cleveland Division of Police, dates of birth, social security numbers, contact information, medical records, and residential and familial information of safety personnel. The parties agree that these documents or any copies will be used exclusively for the above-captioned litigation, and only by those individuals retained by the parties in connection with the above-captioned litigation. All persons having access to these documents must acknowledge, sign and agree to be bound by this Stipulated Protective Order. Signature by counsel of record for either party shall be sufficient to bind all employees of that counsel's firm without the

necessity of obtaining individual signatures from each employee. The parties agree not to reveal any protected documents or any of their contents to the public or any other person not identified in this Stipulated Protective Order, without written consent of the parties. If a document identified in this Stipulated Protective Order is filed with any court in connection with the above-captioned litigation, it shall be filed under seal.

The parties further agree that upon the termination of this litigation all existing originals and copies shall be immediately returned to the City of Cleveland Law Department.

Respectfully submitted,

/s/ W. Craig Bashein (per consent)  
W. Craig Bashein (#0034591)  
Bashein & Bashein  
50 Public Square, 35<sup>th</sup> Floor  
Cleveland, Ohio 44115  
(216) 771-3239  
facsimile: (216) 781-5876  
[cbashein@basheinlaw.com](mailto:cbashein@basheinlaw.com)  
Attorney for Plaintiff

IT IS SO ORDERED:

s/Christopher A. Boyko  
Judge Boyko  
April 3, 2008

/s/ Kathryn M. Miley  
Ernest L. Wilkerson, Jr. (#0036972)  
Kathryn M. Miley (#0067084)  
Wilkerson and Associates Co., LPA  
1422 Euclid Ave, Suite 248  
Cleveland, OH 44115  
(216) 696-0808  
(216) 696-4970 facsimile  
[ewilkerson@wilkersonlpa.com](mailto:ewilkerson@wilkersonlpa.com)  
[kmmiley@wilkersonlpa.com](mailto:kmmiley@wilkersonlpa.com)  
Attorneys for Defendants