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US DISTRICT COURT
SOUTHERN DIST OHIO
WESTERN DIV DAYTON

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JAMES BRANDENBURG, Individually and as Administrator for the Estate of Brandy Brandenburg, Deceased, et al.	:	CASE NO. 3:14-CV-00441 WHR
	:	
	:	District Judge: Walter H. Rice
	:	Magistrate Judge: Sharon L. Ovington
Plaintiffs,	:	
	:	AGREED PROTECTIVE ORDER
v.	:	
	:	
NORFOLK SOUTHERN CORPORATION and NORFOLK SOUTHERN RAILWAY COMPANY	:	
	:	
Defendants.	:	

In this cause, the parties made known to the Court that the counsel for the Plaintiffs will be furnished a copy of the RailView video data of the accident in question by Norfolk Southern Railway Company which is of a confidential and proprietary nature, and for the protection against the unauthorized disclosure or improper use of the RailView data and documents and to protect the confidential nature thereof, the parties, by their counsel, have agreed to the entry of the following Protective Order:

It is, therefore, ORDERED by the Court, and by express agreement of the parties, their counsel, and representatives, that the confidentiality of the RailView data and documents furnished by Norfolk Southern Railway Company to the Plaintiffs and to their experts, consultants or attorneys shall be carefully and scrupulously maintained in the following manner:

1. The use of the RailView data, documents or copies thereof furnished by NORFOLK SOUTHERN RAILWAY COMPANY (hereinafter "Norfolk Southern") to any party herein or their attorneys is governed by this Protective Order;

2. If the RailView data and documents are reproduced in any form or manner, each copy or portion of a copy thereof shall be numbered, and Norfolk Southern shall be notified of the number of copies made. The original and all such copies shall be returned to Norfolk Southern at the conclusion of this litigation;

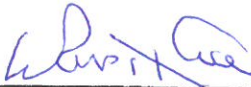
3. Neither the RailView data, documents, nor information contained therein, may be disclosed to persons other than the Court and its personnel, the parties, their counsel of record, and experts, and with regard to their experts, only to the extent necessary and relevant to the topic on which the expert is consulted;

4. The parties herein, their attorneys, and all experts to whom the RailView data, software, documents and/or information derived therefrom is disclosed, shall, before obtaining access thereto, be shown and read a copy of this Order and shall agree to be bound by the terms hereof and to submit to this Court's jurisdiction for the purpose of enforcement or compliance herewith by signing their name(s) to the attached signature page of the photocopy of this Order. Further, any person provided a copy of the RailView data or documents shall, before being provided a copy, sign their name to the attached signature page of the photocopy of this Order, and by doing so they shall agree to be bound by the terms hereof and to submit to this Court's jurisdiction for the purpose of enforcement or compliance herewith. Counsel for the plaintiff shall provide Norfolk Southern with a copy of the Order showing the signatures of all persons to whom copies of the documents, data and information have been provided at the conclusion of the litigation. For good cause shown, and if necessary to enforce the terms of this Order, the Court may order disclosure of the signature page prior to conclusion of the litigation.

5. The RailView data, software, documents and information derived therefrom shall not be used by or under the authority of any person or party receiving the same for any business or competitive purpose and shall be used for purposes of this litigation only and shall not be released to any other person, attorney or expert for use in any other litigation or for any other reason;

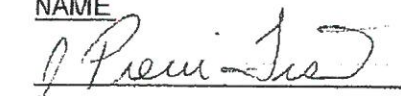


6. Upon final determination or resolution of this action, the RailView data and documents (and all copies) shall be promptly returned to counsel for NORFOLK SOUTHERN RAILWAY COMPANY.

ENTER this 1st day of December, 2015.



JUDGE

SIGNATURES PURSUANT TO PARAGRAPH 4

<u>NAME</u>	<u>FIRM</u>	<u>DATE</u>
	Dyer, Garofalo, Mann & Schultz	11-23-15
	Dyer, Garofalo, Mann & Schultz	11-23-15
	Linschme & Anderson	11/23/15
_____	_____	_____
_____	_____	_____
_____	_____	_____