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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN L. EASTMAN; and
KATHY A. EASTMAN,

Civil No. 08-3043-CL

Plaintiffs,

ORDER

v.

ART ANDERSON; and JOE THOMAS,

Defendants.

CLARKE, Magistrate Judge:

Defendants submitted disputed discovery documents to the Court for in camera review as ordered (#19). Defendants claim that the documents are protected from discovery under the attorney-client and litigation work product privileges. The Court has reviewed the materials and sustains defendants' objections. The submitted documents are communications with the Attorney General's Office or with Risk Management personnel which are not discoverable because they are protected by the attorney client privilege and / or the work product privilege.

IT IS FURTHER ORDERED that the materials submitted to the Court by defendants for in camera review are ordered sealed. The Clerk is directed to seal these materials ("sealed materials"), in accordance with the following disclosure instructions.

The sealed materials shall only be disclosed by the Clerk as follows:

- (a) The sealed materials shall be maintained in the court file under seal and will not be available to any person;
- (b) The Clerk shall exclude the sealed materials from the electronic docket as well as the public case files;
- (c) At the conclusion of this litigation--which is defined to mean the final settlement of this proceeding, after the time for appeal of a judgment has expired, or after all appeals have been taken--defendants may file and serve a motion to have the Clerk return the sealed materials to them.

IT IS SO ORDERED.

DATED this 27 day of January, 2009.



UNITED STATES MAGISTRATE JUDGE