

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CUMBERLAND AND OHIO CO. OF TEXAS, INC., RUSS E. BELSAAS, TIMOTHY R. DIENHART, TOM MARTIN, KATHY MARTIN, LAIRD ROBINSON, LORETTA ROBINSON, GREGORY A. STEPPO, ERIC R. TAYLOR, FRED VOGEL, RICHARD WEBER, AND CHUCK GREENE d/b/a CG INVESTMENTS, LLC,

Plaintiffs,

vs.

CLINTON C. GOFF,

Defendant.

Docket No.: 3:09-cv-436
Judge Traugher
Magistrate Judge Brown

AGREED PROTECTIVE ORDER

It appears that the parties have agreed as evidenced by the signatures of respective counsel hereto that pursuant to Rule 26(c)(g) of the Federal Rules of Civil Procedure that Plaintiffs and their counsel be prevented from disclosing except as authorized by the court or by Defendant Goff, information produced by Defendant Goff in pursuit of settlement negotiations. The same being reasonable to the Court, it is hereby ordered by the Court as follows:

- 1. Information supplied to Plaintiffs in furtherance of settlement negotiations shall only be disclosed to those individuals in the following categories who are actively engaged with the preparation of this case: (a) trial counsel for Plaintiffs; (b) Plaintiffs; and (c) technical experts retained by Plaintiffs.

2. The recipients of such information shall treat such information as confidential and not reveal it to third parties without authorization from Goff or as ordered by the Court.

3. It is further ordered by this Court that Defendant shall designate each document listed above as confidential if it contains confidential information and submit it to Plaintiffs' counsel in a sealed envelope marked "Confidential."

4. It is further ordered by this court that all such information submitted by Defendant that is designated as confidential, as well as documents or memoranda that paraphrase or quote such information, shall be returned to counsel for Defendant or destroyed at the termination of settlement negotiations, unless otherwise ordered by this Court.

5. All such information supplied to Plaintiff is in furtherance of settlement and compromise and is subject to the provisions of Rule 408 of the Federal Rules of Evidence.

ENTERED this 10TH day of August, 2011.

/s/ Joe B. Brown
JOE B. BROWN
U.S. MAGISTRATE JUDGE

Approved for Entry:

~~—/s/ James W. Price, Jr.—~~
James W. Price, Jr., #3538
Attorney for Defendant Goff
201 4th Avenue North, Suite 1800
Nashville, TN 37219
Phone: (615) 256-1577

~~—/s/ Rebecca Brinkley—~~
Rebecca Brinkley, #24333
Waller Lansden Dortch & Davis, LLP
Nashville City Center
511 Union Street, Suite 2700
Nashville, TN 37219