

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**NORTHEASTERN UNIVERSITY and
JARG CORPORATION**

Plaintiffs,

v.

GOOGLE, INC.

Defendant.

CIVIL ACTION NO. 2:07-CV-486-CE

**ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO MODIFY
PROTECTIVE ORDER**

Before the Court is Plaintiffs Northeastern University and Jarg Corporation's ("*Plaintiffs*") Unopposed Motion to Modify Protective Order, filed February 1, 2011. The Court finds that the Agreed Protective Order (Dkt 42) will be modified to allow the parties to disclose information designated Confidential or Confidential Attorneys Eyes Only to mock jurors, provided the safeguards outlined below are taken to preserve the confidentiality of this information.

Therefore, the following provision is hereby added as Paragraph 43 of the Agreed Protective Order (Dkt 42):

43. Notwithstanding any other provision in this Order, mock jurors shall be permitted to view information designated Confidential or Confidential Attorneys Eyes Only, subject to this Court's local rules and standing orders governing the use of mock jurors, and subject to the following:

- (a) Mock jurors will be required to sign the undertaking attached as Exhibit A to the protective order.
- (b) Information designated "Restricted Confidential - Source Code" will not be disclosed to any mock juror.
- (c) No copy of any document designated Confidential or Confidential Attorneys Eyes Only will be distributed to any mock juror.

- (d) A hardcopy of mock jury presentations containing information from documents designated Confidential or Confidential Attorneys Eyes Only may be provided to mock jurors for their use during a mock exercise, provided that all such copies are collected and accounted for at the conclusion of the exercise. Mock jurors will not be allowed to retain a copy of these materials after the exercise and they will not be permitted to leave the facilities where the exercise is conducted with such materials, nor to keep such materials overnight.
- (e) Mock jurors will not be allowed to use computers, personal digital assistants, cameras, or cell phones during any mock jury exercise. Any notes made by a mock juror during the exercise will be collected at the conclusion of each day and at the conclusion of the exercise.

IT IS HEREBY ORDERED that Plaintiffs' Motion to Modify Protective Order is GRANTED.

SIGNED this 2nd day of February, 2011.



CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE