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HONORABLE MARSHA J. PECHMAN

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

RJB WHOLESale, INC., a Washington  
corporation,  
  
Plaintiff,  
  
vs.  
  
JEFFREY CASTLEBERRY and JANE DOE  
CASTLEBERRY, husband and wife and their  
marital community,  
  
Defendants.

NO. 2:16-cv-1829

**STIPULATION AND PROTECTIVE  
ORDER REGARDING NORTH  
AMERICAN PIPE & STEEL CORP.**

**STIPULATION**

Plaintiff RJB Wholesale, Inc. (“RJB”), defendant Jeffrey Castleberry (“Castleberry”),  
and North American Pipe & Steel Corp. (“NAPSteel”), by and through their counsel of record,  
stipulate and agree as follows:

**1. Purpose of Stipulation.** On February 23, 2017, the Court entered the Stipulation  
and Protective Order (“First Protective Order”) attached hereto. The First Protective Order  
sets forth detailed requirements and procedures for protecting the confidentiality of documents  
and information of RJB and Castleberry’s current employer, NAP Steel. Because RJB and

1 NAPSteel, may, at times, be competitors, the Protective Order was entered to ensure that their  
2 respective confidential business information is protected from misuse for anticompetitive  
3 purposes. Although NAPSteel’s documents and information may be designated as “Protected  
4 Materials” under that Protective Order, NAPSteel was not a signing party.

5 NAPSteel objected to a Subpoena Duces Tecum served by RJB on the grounds that  
6 certain requests seek NAPSteel’s confidential and proprietary information, including customer  
7 information and sales practices. This Second Protective Order is intended to protect the  
8 confidentiality of documents and information produced by NAPSteel, while ensuring that the  
9 parties can pursue discovery and litigation with a minimum amount of burden, expense. RJB  
10 may need to introduce its confidential information during discovery with NAPSteel, or with  
11 NAPSteel witnesses at trial. Therefore, the parties agree this Second Protective Order is  
12 necessary to protect the confidential information of NAPSteel and RJB.

13 **2. Protected Material.** In the event NAPSteel determines in good faith that a  
14 document, pleading or other information responsive to a request for discovery is confidential  
15 or proprietary and entitled to special protection, NAPSteel may in good faith designate such  
16 documents, pleadings or other information as “Protected Material” in the manner set forth in  
17 paragraph 2 of the First Protective Order.

18 **3. Incorporation of First Protective Order.** For purposes of discovery and litigation  
19 proceedings involving NAPSteel, the parties hereby incorporate and agree to be bound by the  
20 requirements and provisions of paragraphs 2-16 on the First Protective Order.

21 **4. Access to Confidential Documents.** For purposes of paragraph 7 (“Access to  
22 Confidential Documents”) and paragraph 8 (“Access to Highly Confidential Documents”), the  
23 term “parties” or “party” shall mean the named parties in this litigation, RJB and Castleberry.

24 STIPULATION AND PROTECTIVE ORDER

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1 RJB and NAPSteel stipulate that the NAPSteel's Controller, David Fairley, or his successor,  
2 shall be authorized to receive any Protected Materials marked as Highly Confidential that RJB  
3 specifically designates to facilitate NAPSteel's discovery responses, conditioned upon his  
4 execution of a Non-Disclosure Certification pursuant to paragraph 10 of the First Protective  
5 Order, in the form attached hereto as Exhibit A.

6 **5. Authorization.** The undersigned counsel hereby warrant and represent that they are  
7 authorized by their clients to enter into this Stipulation and Protective Order.

8 DATED: April 4, 2018

9 INSLEE, BEST, DOEZIE & RYDER, P.S.

10 By /s/ Richard A. Bersin

11 Richard A. Bersin, WSBA #7178

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*Attorneys for Plaintiff*

15 DATED: April 4, 2018

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*Attorneys for Defendant*

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23 STIPULATION AND PROTECTIVE ORDER

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**ORDER**

The above Stipulation and Protective Order of the parties is hereby approved and adopted as an Order of this Court.

DATED this 10th day of April, 2018

  
Marsha J. Pechman  
United States District Judge