

HONORABLE JUDGE THOMAS O. RICE

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

BARRY L. WHITE and LORRAINE
M. WHITE, husband and wife,

Plaintiffs,

Case No. CV-16-00096-TOR

STIPULATED PROTECTIVE
ORDER

vs.

SPOKANE COUNTY, and MARK
HOLTAUS; and BRAD GILBERT;
and TODD MILLER; Individually
and in their capacity as employees of
Spokane County.

Defendants.

ORDER

IT IS HEREBY ORDERED that the following procedures shall apply to the
personnel, internal affairs, training records, hiring files, employment files, FTO
files, administrative files and any other files pertaining to deputies of Spokane

1 County Sheriff's Department, and any documents, written or other that contain
2 any personal information regarding any third party in the above-referenced matter
3 or not a party hereto but pursuant to a request for release by Plaintiff's counsel.
4
5 Spokane County has designated these records as confidential subject to the
6 following provisions:
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9 1. The personnel records, employment records, hiring files,
10 administrative files, training records, and/or internal affairs reports
11 and/or investigations, financial and tax records, of all deputies of the
12 Spokane County Sheriff's Department (herein "Records"), and shall
13 be produced and used solely for the purposes of this litigation and
14 shall not be disclosed, except pursuant to court order, to anyone
15 except:
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17 a. The party(ies), their attorneys and the attorney's employees;
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19 b. Consultants and experts retained by any party for the purposes
20 of assisting in the preparation or presentation of claims or
21 defenses;
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23 c. Any other person with prior written consent of the party
24 producing the documents.
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28 2. All of the foregoing persons, other than the parties' attorneys and
29 their employees, shall be shown a copy of this order and shall sign it
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1 or otherwise signify in writing prior to being shown confidential
2 documents that the person has read the order and consents to be
3 bound by its terms. Attached hereto as Exhibit A is a sample copy of
4 a consent form.
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7 3. All documents bearing the social security, dates of birth, bank
8 account identifications, financial information, and driver's license of
9 any individual, whether a sheriff deputy or a third party, shall be
10 redacted prior to providing a copy of the same to Plaintiff's counsel.
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13 4. All documents bearing the addresses and phone numbers of Sheriff
14 Deputies or other law enforcement personnel and those individual's
15 friends and families shall be redacted prior to providing a copy of the
16 same to Plaintiff's counsel.
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19 5. The addresses and phone numbers of non-party individuals
20 mentioned, referenced, or noted in any way in the above-referenced
21 documents (Paragraph 1) shall also be redacted.
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24 6. Prior to the filing or submission into evidence in this action of any
25 "Confidential" material (including the filing of any pleadings which
26 incorporate or disclose "Confidential" material) by counsel for either
27 party in this action, said counsel shall seal said and is to be retained
28 under seal unless ordered by the Court to be opened. Such sealing
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1 and filing shall be accomplished in accordance with the appropriate
2 court rules for filing material under seal, and the material shall remain
3 under seal with the Court order otherwise. Such “Confidential”
4 material shall not become a part of the public record in this action,
5 nor shall it otherwise be made available to the public. Only persons
6 authorized under the provisions of this Protective Order, the Court
7 (including any court to which this action may be appealed or
8 transferred), and persons employed by or assisting the Court in this
9 action shall be give access to any such “Confidential” material or to
10 any testimony or oral statements disclosing the substance thereof.
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16 7. Upon completion of this litigation, all copies of the Records or
17 documents or testimony with references thereto shall, at Spokane
18 County’s option, be destroyed or returned to Spokane County’s
19 counsel. This is to include all copies reproduced by any party, agent,
20 employee or expert of Plaintiffs and Co-Defendants.
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24 8. No documents or information from the Records shall be used for any
25 purpose unrelated to the conduct of this litigation.
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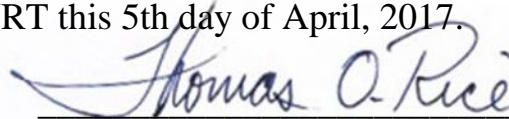
27 9. Nothing contained herein shall be construed to prejudice or limit any
28 party’s right to use the Records in taking of depositions or at trial to
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1 the extent permitted, if at all, under the Rules of Evidence and Civil
2 Procedure.
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4 10. Nothing in this order shall prevent any party hereto from seeking
5 modification of this order or from objecting to discovery which it
6 believes to be otherwise improper.
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8 11. Violation of the terms of this Order, by any of the signators to this
9 agreement, their employees, agents or experts may be subject the
10 violator to terms (monetary and/or injunctive) as well as attorney's
11 fees and costs incurred in enforcing this Order and as the Court deems
12 appropriate.
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16 DONE IN OPEN COURT this 5th day of April, 2017.

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19 HONORABLE JUDGE RICE
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21 EVANS, CRAVEN & LACKIE, P.S.

22 BY: s/Heather C. Yakely
23 HEATHER C. YAKELY, #28848
24 Attorney for Defendants
25

26 LAW OFFICE WILLIAM A. GILBERT

27 BY: s/William A. Gilbert
28 WILLIAM A. GILBERT, #30592
29 Attorney for Plaintiffs
30

Exhibit A

Confidentiality Acknowledgement

1. I have read and understand the attached Stipulated Protective Order that has been entered in Barry L. White and Lorraine M. White v. Spokane County, et al. CV-16-00096-TOR before the District Court of the Eastern District of Washington;
2. I understand that I may be given access to Confidential information, and in consideration of that access, I agree that I shall be bound by all the terms of the Stipulated Protective Order;
3. I understand that I will not disclose or discuss Confidential information with any persons other than counsel for any party and paralegal and clerical personnel assisting such counsel and other persons who have signed this Confidentiality Agreement;
4. I understand that all Confidential information shall be used solely for the purposes of this action and shall not, directly or indirectly, be used for any other purpose and that any use of this Confidential information, or any information obtained there from, in any manner contrary to the provisions of the Protective Order will subject me to possible sanctions by the Court.

Dated this ____ day of _____ 2017.

Name: