

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

ANDREW WOLTERS,

Plaintiff,

v.

ESTATE OF CONNER,

Defendant.

Civil No. 03-3251-KHV/JPO

**ORDER PERMITTING USE AND DISCLOSURE OF DOCUMENTS**

The joint motion of the parties and the United States, for and on behalf of the Federal Bureau of Prisons, for the use and disclosure of certain documents during the litigation of this case comes before the court. Having reviewed the file and motion herein, the court finds as follows:

During the course of this litigation, the Federal Bureau of Prisons has provided certain documents containing information about federal inmates to counsel for Plaintiff and counsel for Defendant pursuant to Protective Orders (Docs. 148 and 234). The terms of the Protective Orders restrain further disclosure and use of such documents. In addition, certain documents containing information about federal inmates are protected by the Privacy Act of 1974, as amended, 5 U.S.C. § 522a, and may not, therefore, be disclosed and used in the course of this litigation unless so ordered by this court. In order to adequately prosecute and defend the case, counsel for the parties must disclose certain of these documents to their clients in preparation for trial and to the court and to the jury during the trial of the case. The privacy interests of federal inmates depicted in documents and photographs and/or information about such inmates contained therein are outweighed by the interests of justice in disclosing such documents for the prosecution and

defense of this case.

IT IS THEREFORE ORDERED AND DECREED THAT the privacy interests of federal inmates depicted in Federal Bureau Of Prisons documents and photographs and/or information about such inmates contained therein are outweighed by the interests of justice in disclosing such documents for the prosecution and defense of this case.

IT IS FURTHER ORDERED that counsel for the Plaintiff, counsel for Defendant, and the Federal Bureau of Prisons are hereby authorized to disclose to the parties documents containing information about federal inmates and/or photographs of such inmates and are authorized to use and introduce such documents at the trial of the case.

IT IS FURTHER ORDERED that nothing in this Order shall constitute a waiver by the parties of any right to object to admission into evidence of any document, record, or photograph subject to this Order.

IT IS SO ORDERED.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge

SUBMITTED BY:

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United States Attorney

**s/Laurie K. Kahrs**

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*Civil Action No. 03-3251-KHV/JPO*  
*Order Permitting Use and Disclosure of Documents*

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