

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

<b>PAULETTE BROOKS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 06-1089-WEB</b>
	)	
<b>LYON COUNTY BOARD OF</b>	)	
<b>COUNTY COMMISSIONERS, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**MEMORANDUM AND ORDER**

This matter is before the court on defendant Lyon County Board of County Commissioners' motion for a protective order and in camera review. (Doc. 59). Plaintiff opposes the motion. For the reasons set forth below, the motion shall be GRANTED.

**Background**

Highly summarized, plaintiff alleges that she suffered a miscarriage while confined in the Lyon County Detention Center and that correction officers taunted her and refused to provide timely medical care. Her claims include: (1) constitutional violations under 42 U.S.C. § 1983, (2) intentional infliction of emotional distress, and (3) negligence.

**Defendant's Motion for a Protective Order**

Plaintiff served a discovery request for the personnel file of a former county

employee, Darcy Garriot. Defendant argues that Ms. Garriot's employment/personnel file is irrelevant to the issues in this case and submits the documents for an in camera review. Plaintiff argues that the file is relevant because its review will "allow plaintiff to investigate the witness' last whereabouts."<sup>1</sup>

The court has reviewed the materials in camera and agrees that, except for the last known address of Ms. Garriot, the file contains no information relevant to this case. Moreover, the file contains a confidentiality agreement concerning matters wholly unrelated to the claims in this lawsuit. Accordingly, the court is persuaded that a protective order is warranted under Fed. R. Civ. P. 26(c), subject to defendant providing plaintiff with the last known address of Ms. Garriot.

**IT IS THEREFORE ORDERED** that defendant's motion for a protective order and in camera review (**Doc. 59**) is **GRANTED**, subject to defendant providing plaintiff with Ms. Garriot's last known address.

**IT IS SO ORDERED.**

Dated at Wichita, Kansas this 17th day of April 2007.

S/ Karen M. Humphreys

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KAREN M. HUMPHREYS  
United States Magistrate Judge

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<sup>1</sup>

Ms. Garriot's involvement is extremely marginal and limited to bringing a bond order to plaintiff at the hospital. Additionally, Ms. Garriot apparently transported plaintiff to a physician's office on a prior occasion when plaintiff was incarcerated.