

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

SCRIPTPRO LLC and	)	
SCRIPTPRO USA INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 2:06-cv-2468-CM-JPO
	)	
INNOVATION ASSOCIATES, INC.	)	
	)	
Defendant.	)	

**AMENDMENT TO PROTECTIVE ORDER**

The Court previously entered a Protective Order (doc. #20) in this case. That Protective Order, by its terms, applies only to the parties to this action. During the course of discovery, subpoenas have been issued to third parties, some of which are competitors with the parties, that seek certain materials, information, and things discoverable in this case that may consist of trade secrets, proprietary information, confidential research and development information, financial information, and/or otherwise commercially valuable information that the third parties maintain in confidence in the ordinary course of business (hereinafter, the “Protected Material”). Such third parties may wish invoke the benefits of the Protective Order previously entered in this case, tailored to protect the aforementioned Protected Material, because public disclosure of the Protected Material could cause irreparable financial and/or competitive harms, and/or could be of commercial benefit to a competitor of the producing party.

On this basis, the Court finds that good cause exists pursuant to Federal Rule of Civil Procedure 26(c) to amend the Protective Order to allow third parties who may produce Protected

Material to opt in to the protections afforded by the Protective Order. It is THEREFORE ORDERED that the Protective Order is hereby amended as follows:

1. Any nonparty may invoke the rights and protections provided to the Parties or Party under the Protective Order, including but not limited to the right to designate all or parts of any Protected Material produced or provided by that nonparty as Confidential Materials. The term “Parties” and “Party” shall include any such nonparty with respect to Protected Material produced by such nonparty.

IT IS SO ORDERED.

Dated September 26, 2011, at Kansas City, Kansas.

s/ James P. O’Hara  
James P. O’Hara  
United States Magistrate Judge

Agreed to by the parties this 26th day of September, 2011.

s/ Jennifer M. Hannah

Gerald M. Kraai (KS Bar No. 70118)

Email: gkraai@lathropgage.com

R. Scott Beeler (KS Bar No. 10118)

Email: rsbeeler@lathropgage.com

Jennifer M. Hannah (KS Bar No. 19111)

Email: jhannah@lathropgage.com

A. Justin Poplin (KS Bar No. 21598)

Email: jpoplin@lathropgage.com

**LATHROP & GAGE LLP**

10851 Mastin Blvd., Bldg 82, Ste. 1000

Overland Park, KS 66210-1669

Telephone: (913) 451-5100

Fax: (913) 451-0875

and

Brian Fries (KS Bar No. 15889)

Email: bfries@lathropgage.com

David V. Clark (KS Bar No. 70014)

Email: dclark@lathropgage.com

**LATHROP & GAGE LLP**

2345 Grand Blvd, Suite 2800

Kansas City, MO 64108-2684

Telephone: (816) 292-2000

Fax: (816) 292-2001

*Attorneys for Plaintiffs*

*ScriptPro LLC and Script Pro USA Inc.*

s/ Angel D. Mitchell

B. Trent Webb (KS Bar No. 15965)

Email: bwebb@shb.com

Angel D. Mitchell (KS Bar No. 20110)

Email: amitchell@shb.com

Chrissie Guastello (*pro hac vice*)

Email: cguastello@shb.com

**SHOOK, HARDY & BACON, LLP**

2555 Grand Boulevard

Kansas City, MO 64108-2613

Telephone: (816) 474-6550

Fax: (816) 421-5547

*Attorneys for Defendant*

*Innovation Associates, Inc.*