

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CHRISTOPHER K. BROWN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 07-1178-JTM
)	
CITY OF MAIZE, KANSAS;)	
MAIZE POLICE DEPARTMENT;)	
MATT JENSBY; CATHY GRAY; and)	
CASSIE DOLEN,)	
)	
Defendants.)	
_____)	

PROTECTIVE ORDER

This Protective Order is entered pursuant to Fed. R. Civ. P. 26(c), upon the agreement of counsel. Gary L. Blanton appears on behalf of plaintiff Christopher K. Brown. David G. Seely appears on behalf of defendants City of Maize, Kansas, Maize Police Department, Matt Jensby, Cathy Gray and Cassie Dolen. There are no other appearances

The Court, recognizing that defendant possesses certain information that is relevant and subject to discovery in this action, but which would invade the privacy of non-parties and should not be made available to the public generally, hereby orders

1. Certain police department records, including reports, witness statements, notes and investigative records produced or disclosed by defendant during the course of this litigation should be considered as “Confidential” and will be marked as such.

2. Counsel for both parties shall use all such “Confidential” documents and information obtained during the course of discovery in this matter solely for purposes of preparation for and the trial of this action. Under no circumstances shall such information or materials produced by either party be disclosed to anyone other than the parties, counsel of record, employees under counsel’s direct supervision, such persons employed to act as expert witnesses or act as consultants, and such persons shall not disclose such protected documents or information to anyone.

3. The Plaintiff is hereby prohibited from contacting or communicating in any way with any person whose name appears on any “confidential” document. Plaintiff’s counsel may contact or communicate with such persons solely for purposes of this litigation, provided that plaintiff’s counsel shall notify defendant’s counsel sufficiently in advance of such contact that as to afford a reasonable opportunity to object and seek relief from the court to prevent such contact.

4. Violation by any person of any term of this Protective Order is punishable by contempt of court.

5. This Protective Order shall apply in the above-captioned case, and shall be binding upon said undersigned attorneys, both now and in the future.

6. Upon the conclusion of this litigation, all copies of confidential documents produced or disclosed herein (and all additional copies derived therefrom) shall be destroyed or returned to counsel for the party that produced or disclosed them.

Dated this 12th day of September, 2007.

s/ DONALD W. BOSTWICK
DONALD W. BOSTWICK
UNITED STATES MAGISTRATE JUDGE

APPROVED:

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