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 7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
 8 **IN AND FOR THE COUNTY OF MARICOPA**

9	COLETTE MCNALLY, an individual,)	Case No. CV2014-009496
10	Plaintiff,)	STIPULATED PROTECTIVE ORDER
11	vs.)	
12	SUN LAKES HOMEOWNERS ASSOCIATION #1,)	
13	INC, an Arizona non-profit corporation,)	(Assigned to the Honorable
14	Defendant.)	James Blomo)

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 16 The parties in this case, having stipulated and agreed through counsel that certain
 17 information to be produced and otherwise exchanged in this matter may contain sensitive
 18 information protected under A.R.S. § 33-1805 (“Confidential Information”), and that the
 19 confidentiality of such information should be protected, and good cause appearing therefore,

20 IT IS HEREBY ORDERED that the parties and their counsel shall abide by the
 21 following guidelines in the handling of Confidential Information:

- 22 1. Any party producing documents or other records that the party knows or has
 23 reason to believe contains Confidential Information shall clearly designate it
 24 as such. Each party shall review documents or other records produced by that
 25 party prior to the entry of this order, shall determine whether such documents
 26 or records contain Confidential Information, and shall notify all receiving
 27 parties that documents or records previously produced contain Confidential
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Information that must be treated according to the terms of this Order. Such notice must be sufficient to permit a receiving party to identify previously-produced Confidential Information.

- 2. Confidential Information disclosed or discovered in this litigation may be disclosed by a receiving party only to the following persons:
 - a) Parties and outside counsel of record for any party, including but not limited to all attorneys of the counsel’s law firm and all paralegal assistants, stenographic and clerical employees operating under the supervision of such attorneys;
 - b) Court personnel, including stenographic reporters and certified videotape operators, engaged in those proceedings that are a necessary incident to the arbitration and/or trial or preparation of this action for arbitration and/or trial;
 - c) Experts and expert consultants provided they are made aware of the terms of this Protective Order and agree to abide by such terms in writing; and
 - d) Witnesses testifying during deposition or at trial provided they are made aware of this Protective Order and agree to abide by such terms in writing.

- 3. All Confidential Information produced during discovery and disclosure may be used solely for the purposes of this action. Confidential Information produced during discovery will not be used at any time for any other purpose whatsoever and shall not be disclosed to or made accessible to any person other than those identified herein without either (i) the prior written consent of the party or other person who is the subject of such information, or (ii) a Court Order, entered after written notice to all parties to this action.

- 4. If Confidential Information is filed with the Court, it will be filed under seal and shall remain sealed while in the office of the Clerk. This applies both to the Confidential Information attached as exhibits or appendices to any motion, pleading, memorandum or other application to the Court, and the pages of all such motions, pleadings, memorandum or other application filed with the

1 Court which include the discussion of the Confidential Information. The
2 pages of such documents either comprising Confidential Information or
3 discussing Confidential Information shall be filed under seal in their entirety
4 as provided in this paragraph separately from the non-Confidential
5 Information in an opaque, sealed envelope endorsed “CONFIDENTIAL –
6 This envelope shall not be opened without the express written authorization of
7 the Court.”

- 8 5. Should a receiving party require that Confidential Information be disclosed or
9 provided to one other than one authorized herein, such party must seek the
10 prior written permission of the party that is the subject of such record or a
11 Court Order.
- 12 6. Upon the final determination of this action, whether by trial, appeal, settlement
13 or other disposition, counsel of record for each party who has received any
14 Confidential Information produced in discovery in this action shall, within 60
15 days, assemble and return such Confidential Information to the party that is the
16 subject of the Confidential Information or shall, at the option of counsel for
17 the receiving party, destroy such Confidential Information in its entirety and
18 certify in writing that such Confidential Information has been destroyed.
- 19 7. In the event additional individuals or entities become parties to this litigation,
20 counsel for Plaintiff shall provide such individuals or entities, through their
21 counsel, a copy of this Order by service pursuant to Rule 5(c) and such
22 individuals or entities and their counsel shall be bound by this Order.
- 23 8. Any “CONFIDENTIAL” designation is subject to challenge by any party.
24 Before filing any motions or objections to a confidentiality designation with
25 the Court, the objecting party shall have an obligation to meet and confer in a
26 good faith effort to resolve the objection by agreement. If agreement is
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reached confirming or waiving the “CONFIDENTIAL” designation as to any documents subject to the objection, the designating party shall serve on all parties a notice specifying the documents and the nature of the agreement.

- 9. Nothing in this Order or any action or agreement of a party under this Order limits the Court’s power to make any orders that may be appropriate with respect to the use and disclosure of any documents produced or use in discovery or at trial.
- 10. The Order shall survive the final determination of this action and shall remain in effect and shall continue to govern the parties’ handling of Confidential Information after the conclusion of all proceedings herein.

DATED: _____.

HONORABLE JAMES BLOMO
MARICOPA COUNTY SUPERIOR COURT

eSignature Page 1 of 1

Filing ID: 6678368 Case Number: CV2014-009496
Original Filing ID: 6670144

Granted as Submitted



/S/ James Blomo Date: 6/19/2015
Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2014-009496

SIGNATURE DATE: 6/19/2015

E-FILING ID #: 6678368

FILED DATE: 6/23/2015 8:00:00 AM

JACOB A KUBERT

ROBERT GRASSO JR.