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01 SEP 10 PM 1:15 FOR THE NORTHERN DISTRICT OF ALABAMA
IN THE UNITED STATES DISTRICT COURT
SOUTHERN DIVISION 01 SEP 14 PM 2:21

U.S. DISTRICT COURT
N.D. OF ALABAMA
EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

U.S. DISTRICT COURT
N.D. OF ALABAMA

Plaintiff,)

PAMELA WILLIAMS, REGINA)
GODFREY, MARY CLARK, and)
TRACIE HAMMONDS)

CIVIL ACTION
FILE NO. CV-00-N-2424-S

Plaintiff-intervenors,)

v.)

DANKA OFFICE IMAGING COMPANY)
CORPORATION D/B/A DANKA)

Defendant.)

AGREED PROTECTIVE ORDER

Compliance with discovery in this case will involve review of confidential information of the parties and non-parties to this action, as well as commercially sensitive and private business information. In order to protect the legitimate privacy interests of the parties, as well as to provide Plaintiff and Plaintiff Intervenors' counsel certain documents potentially relevant to the subject matter of this action, the parties agree to the following:

1. "Confidential Information" shall include files maintained by Defendant for current and former employees and commercially sensitive information concerning Defendant's business.
2. Access to these protected materials shall be limited solely to the Plaintiff, Plaintiff Intervenors, their respective attorneys of record, the support and clerical personnel

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ENTERED
SEP 14 2001

So ordered

[Signature]
SEP 14 2001
EDWIN L. NELSON
U.S. DISTRICT JUDGE

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of those attorneys, Plaintiff and Plaintiff Intervenors' expert witness(es), and those individuals identified in the parties' initial disclosures for use in connection with this case.

3. Any information designated as Confidential Information under this Order shall, when filed with the Court, be clearly marked "Confidential."
4. Any documents, exhibits or other materials (or portions thereof) which are to be designated as Confidential Information pursuant to the terms hereof shall be marked on the front page of a multi-page document and on each applicable single page document with a stamp or written statement clearly indicating that it is regarded as containing Confidential Information; or as to voluminous productions, they may be marked in any manner agreeable to all counsel that will assure that the documents can be clearly identified as Confidential Information. A stamp or clearly printed statement in the form as follows shall be regarded as sufficient classification:

"CONFIDENTIAL"

Further, where the Confidential Information is in such a form that such a stamp or mark cannot be reasonably placed thereon, then such information shall be designated Confidential Information in such a manner as is reasonable under the circumstances.

5. Nothing in this Order shall prevent disclosure beyond the terms of this Stipulation if Defendant consents in writing to such disclosure or if the Court, after notice to all affected parties, orders such disclosure. This Stipulation shall not limit Defendant's right to use its own Confidential Information in any manner it chooses. Nor shall this Stipulation regulate the manner of receipt of any evidence at trial or the use of

documents in the taking of depositions.

6. Defendant's inadvertent or unintentional disclosure of any Confidential Information shall not be construed to be a waiver, in whole or in part, of Defendant's claim of confidentiality, either as to the specific Confidential Information disclosed or as to other related information.
7. The provisions of this Order shall not affect the admissibility of evidence a trial or any preliminary evidentiary proceeding in open court, except as directed by separate order entered for good cause shown, and this Order shall not be construed as a waiver by any party of any objection that might be raised as to the discoverability or admissibility at trial of any document information or testimony.
8. Within thirty days after final judgment and the conclusion of all appeals, if any, Plaintiff, Plaintiff Intervenors and their respective counsel shall return all Confidential Information (including all copies and/or summaries thereof) to Defendant's counsel.
9. Either party may at any time seek modification, revision, clarification, or termination of this Order.

IT IS SO ORDERED, this ___ day September, 2001.

EDWIN L. NELSON
UNITED STATES DISTRICT JUDGE

AGREED AND ACCEPTED:

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