

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

and)

DIANE CANTU,)

Plaintiff-Intervenor,)

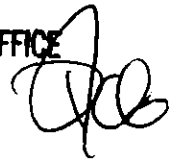
v.)

INTOWN SUITES MANAGEMENT, INC.,)

Defendant.)
_____)


Civil Action No. 1:03-CV-1494-RLV

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta



OCT 29 2003

LUTHER D. THOMAS, Clerk

By: 
Deputy Clerk

CONSENT PROTECTIVE ORDER

This matter is before the Court pursuant to the agreement of the parties as evidenced by the signatures of their respective counsel below for entry of a Protective Order to preserve the disclosure of confidential, private, financial, personal and business information of Defendant InTown Suites Management, Inc. (hereinafter "InTown"), and Defendant's employees and agents. In order to facilitate discovery and to protect confidential information, pursuant to Rule 26(c) of the Federal Rules of Civil Procedure,



IT IS HEREBY ORDERED:

1. All documents contained in personnel or supervisory files maintained by Defendant on past or current employees, produced following the execution of this Protective Order, shall be maintained and protected by the parties in strict confidence and shall be utilized solely in connection with the pretrial proceedings, preparation for trial, trial, appeal and/or settlement of this case and for no other purpose, and shall not be disseminated, published, shown or otherwise used or disclosed to or by any person or entity except as provided herein.

2. Access to any such discovery information identified in Paragraph 1 above shall be limited to attorneys of record and their staff, office associates of the attorneys of record and their staff, the parties to this case including directors, officers and employees thereof, the Court and the Court staff, court reporters in connection with this action, potential witnesses, and independent experts or consultants employed to assist any attorneys of record in the course of trial or pretrial preparation or appeal of any matter or settlement.

3. Before counsel for the parties disclose any discovery information covered by this Order or the contents thereof to their clients or other individuals referred to in Paragraph 2, the clients or other individuals receiving such disclosure, must first execute the following agreement:

AGREEMENT OF CONFIDENTIALITY

I hereby certify that I have read the Protective Order entered by the Court (the "Order") in the action now pending in the United States District Court for the Northern District of Georgia, entitled *Equal Employment Opportunity Commission and Diane Cantu v. InTown Suites Management, Inc.*, Civil Action No. 1:03-CV-1494-RLV (the "Action") and am fully familiar with its terms. I understand that in the course of my activities in connection with the Action I may have occasion to examine, inspect or be exposed to the discovery information covered by the Protective Order or the contents thereof. I therefore agree to be bound by and comply with all of the terms and prohibitions of the Protective Order and not to do any act or thing in violation of the Protective Order.

4. All persons to whom confidential discovery information covered by this Order is disclosed pursuant to this Order shall:

- a. be responsible for keeping such custody or control over said information so as to assure that said information is not lost, misplaced or inadvertently disclosed or otherwise used in violation of the provisions of this Order;
- b. not reveal the contents of any said information to any person not already subject to the terms of this Order;
- c. not reveal or use the contents of any said information except for the purposes set forth in Paragraph 1 above; and
- d. promptly destroy or return to counsel for Defendant any copy of any such information entrusted to him or her when no longer

required by him or her for the purposes set forth in Paragraph 1 above.

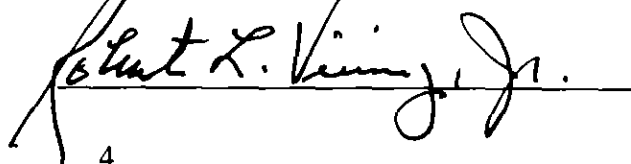
5. At the request of any party, any documents or other papers filed with the Court containing such confidential information shall be filed and maintained under seal to protect the confidentiality and non-disclosure of such information. In addition, if there is a disagreement, each party agrees to consult with the other party, and if necessary the Court, regarding the manner in which any document containing confidential information covered by Paragraph 1 of this Order shall be filed with the Court.

6. The execution and entry of this Order shall in no way affect or impair the right of the Plaintiffs or Defendant to seek relief therefrom, or to raise or assert any objection or defense to the use, relevance or admissibility at trial or discovery information made available under this Order.

7. After this Action is terminated by the entry of a final and not-further-appealable order, the discovery information covered by this Order, any copies thereof, shall be returned to Defendant or destroyed by counsel for Plaintiffs. If counsel for Plaintiffs chose to destroy such discovery information, they shall certify to counsel for Defendant that such information has been destroyed.

Dated this 28th day of Oct., 2003.

BY THE COURT:


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AGREED TO:

SMITH, CURRIE & HANCOCK LLP

Suzanne J. Mulliken
Daniel M. Shea

10/27/03
Dated

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**ATTORNEYS FOR DEFENDANT
INTOWN SUITES MANAGEMENT, INC.**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Steven M. Tapper / w/permission 10/27/03
Steven M. Tapper *SM* Dated

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**ATTORNEYS FOR PLAINTIFF EQUAL
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ATTORNEYS FOR PLAINTIFF-INTERVENOR DIANE CANTU