

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
DAVENPORT DIVISION

WALKESHEIA WARD, DARLENA )  
McBRIDE, TANYA GARDNER, )  
ROBERT DONELSON, RAQUEL )  
MAIDEN, CHARLES SMITH, )  
LARONICA WILLIAMS, LATOYA )  
YOUNG, MACHELLE GUY, ROSCOE )  
HAYMON, ROBERT WILLIAMS, and )  
DAMENICA JOHNSON, )

Plaintiffs, )

vs. )

VON MAUR, INC., )

Defendant. )

----- )  
EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )

Plaintiff, )

vs. )

VON MAUR, INC., )

Defendant. )

----- )  
DARLENA McBRIDE, TANYA )  
GARDNER, ROBERT DONELSON, )  
RAQUEL MAIDEN, CHARLES SMITH, )  
LARONICA WILLIAMS, LATOYA )  
YOUNG, ROSCOE HAYMON, and )  
ROBERT WILLIAMS, )

Plaintiff-Intervenors, )

vs. )

VON MAUR, INC., )

Defendant. )

No. 3:04-cv-00159-RP-RAW  
(Consolidated for pretrial  
purposes with  
4:06-cv-00182-RP-RAW)

PROTECTIVE ORDER PERTAINING  
TO EEO-1 REPORTS

Pursuant to Fed. R. Civ. P. 26(c), the Court enters the following protective order:

1. Definitions. "Confidential Information" shall include all EEO-1 reports submitted to the EEOC by any entity other than Von Maur, Inc. pursuant to 42 U.S.C. § 2000e-8(c) and 29 C.F.R. § 1602.7 and shall further include any testimony, documents, summaries, compilations, notes or other documents that identify an entity with the data reported by such entity in an EEO-1 report in any manner other than a pooled form. "Confidential Information" shall include copies as well as originals of the reports, summaries, compilations, documents, data, and testimony identified herein, but shall not include Dr. Jerry Goldman's report dated August 26, 2007.

2. Access to Confidential Information. Only the following persons shall have access to confidential information, and only where reasonably necessary to the prosecution or defense of this lawsuit: (a) legal counsel for the parties, and the employees of legal counsel; (b) expert witnesses and their employees; (c) Von Maur's Director of Human Resources; (d) court personnel; and (e) court reporters.

3. Permitted Use of Confidential Information. The reports, summaries, documents, compilations, data, and testimony described in Paragraph 1 above shall be used only during this litigation. In the event that Confidential Information is filed

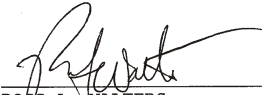
with the Court, it shall be filed under seal in accordance with applicable local rules. In the event that this matter proceeds to trial and any party intends to utilize Confidential Information at trial, counsel for the parties agree to first confer in an effort to agree upon a method of utilizing Confidential Information in a manner that preserves its confidentiality. If counsel for the parties are unable to agree upon such method, they will bring the issue to the attention of the Court for resolution.

4. Destruction of Confidential Information. All of the reports, summaries, compilations, documents, data, and testimony described in Paragraph 1 above produced by one party to the other shall be destroyed at the conclusion of this litigation, except that the EEOC may retain the EEO-1 reports and other documents submitted to the EEOC by Von Maur and other entities pursuant to 42 U.S.C. § 2000e-8(c) and -8(e) and 29 C.F.R. § 1602.7.

5. Persons Bound By This Agreement. Anyone who is shown Confidential Information during this litigation shall first agree to be bound by the provisions of this Stipulation and Protective Order.

IT IS SO ORDERED.

Dated this 4th day of April, 2008.

  
\_\_\_\_\_  
ROSS A. WALTERS  
UNITED STATES MAGISTRATE JUDGE