

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	John W. Darrah	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	99 C 2060	DATE	2/15/2001
CASE TITLE	U.S. E.E.O.C. Vs. United Blood Services etc. et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

DOCKET ENTRY:

- (1) Filed motion of [use listing in "Motion" box above.]
- (2) Brief in support of motion due _____.
- (3) Answer brief to motion due _____. Reply to answer brief due _____.
- (4) Ruling/Hearing on _____ set for _____ at _____.
- (5) Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) Trial[set for/re-set for] on _____ at _____.
- (8) [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
 FRCP4(m) General Rule 21 FRCP41(a)(1) FRCP41(a)(2).
- (10) [Other docket entry] Plaintiff EEOC's motion for agreed amended protective order is granted. Enter Agreed Amended Protective Order.
- (11) [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	① DOCKETING 01 FEB 16 AM 8:45	number of notices <hr/> FEB 20 2001 <small>date docketed</small> <hr/> <i>alw</i> <small>docketing deputy initials</small> <hr/> <small>date mailed notice</small> <hr/> <small>mailing deputy initials</small>	<div style="background-color: #cccccc; padding: 5px; border: 1px solid black;">Document Number</div> <div style="font-size: 2em; font-weight: bold; margin-top: 20px;">49</div>		
<table style="width: 100%; border: none;"> <tr> <td style="width: 20%; border: none; text-align: center; vertical-align: middle;">LG</td> <td style="border: none; text-align: center; vertical-align: middle;">courtroom deputy's initials</td> </tr> </table>	LG	courtroom deputy's initials			
LG	courtroom deputy's initials				

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**UNITED STATES EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)
)
Plaintiff,)
v.)
UNITED BLOOD SERVICES, BLOOD)
SYSTEMS, INC. , LIFE SOURCE BLOOD)
SERVICES, AND INSTITUTE FOR)
TRANSFUSION MEDICINE,)
)
Defendants.)**

**Case No. 99 C 2060
Judge Darrah**

**RECEIVED
FEB 20 2001**

AGREED AMENDED PROTECTIVE ORDER

This matter coming before the Court on Plaintiff EEOC's Motion for Entry of Amended Protective Order, due notice having been given, and the Court being fully advised in the premises, IT IS HEREBY ORDERED as follows:

1. This Protective Order applies to all documents and information, produced or disclosed by United Blood Services, Blood Systems, Inc. and Life Source Blood Services, or the Equal Employment Opportunity Commission ("EEOC") during this litigation and designated "Confidential Information" in accordance with the procedures set forth herein. This Protective Order also applies to all Confidential Information produced or disclosed by a person or entity that is not a party to this litigation.
2. For the purpose of this Protective Order, "Confidential Information" means documents or other tangible materials containing: (1) an individual's medical information; (2) information regarding participation in employee assistance programs, (3) income tax returns and financial statements or information, (4) insurance records, (5) proprietary information about

Blood Systems, United Blood Services or LifeSource Blood Services, including but not limited to safety, training and operational procedures and manuals, or (6) confidential information about employees of Blood Systems, Inc., United Blood Services or LifeSource Blood Services, including but not limited to salary, disciplinary record and social security number.

3. A party may, prior to production or disclosure to any other party, designate as “Confidential Information” any documents, tangible material or information which the party in good faith believes is described in paragraph 2 of this Protective Order.

4. If a party objects to the designation of information or documents as “Confidential Information” under this Protective Order, the party shall so notify the other party in writing. The notice shall identify the challenged designation, and shall state the reason or reasons for the objection. At any time within thirty (30) days from the receipt of such notice (or such further time as may be agreed between the parties), the party may move the Court for a protective order specifically covering the disputed material or the designation as “Confidential Information” shall expire. The designation of the information as confidential shall be maintained until final ruling on the application by this Court.

5. “Confidential information” may only be disclosed to the following persons:

(a) Counsel representing a party in this litigation including legal assistants and clerks for such counsel;

(b) Parties to this litigation and the individuals for whom EEOC seeks relief, provided, however, that disclosure may be made only to the extent necessary for the prosecution of this litigation;

(c) Any person, including experts and consultants, employed or retained by counsel or a party to this litigation to whom it is necessary to disclose Confidential Information for the purpose of prosecuting or defending this litigation; so long as they are first required to execute the attached Exhibit A;

(d) Court reporters;

(e) The Court, including judicial employees; and

(f) Individuals being deposed in this litigation so long as they are first shown a copy of this Order and requested to execute the attached Exhibit A. If such an individual refuses to agree to the non-disclosure provisions of this Order, disclosure of the documents during the deposition shall not constitute a waiver of confidentiality. Under such circumstances, the deponent shall sign the original deposition transcript and no copy of the transcript or exhibits shall be given to the deponent.

6. Any person or entity to whom Confidential Information is disclosed in accordance with this Protective Order may use that Confidential Information solely in connection with the prosecution of this litigation, and shall not disclose such Confidential Information to any other person or entity (except as permitted in paragraph five above) or use such information for any other purpose in violation of the terms of this Protective Order.

7. Testimony given at deposition or hearing in this case shall generally not be designated or considered "Confidential." Provided, however, specific testimony given at a deposition which quotes from or expressly refers to "Confidential" material as defined in Paragraph 2 may be designated as "Confidential" by an appropriate statement from counsel immediately prior to each instance of giving such testimony. If a party fails to designate testimony as "Confidential" prior to the testimony, such designation shall be made promptly thereafter. In addition, if a party orders a transcript of the deposition, the testimony therein may be designated as "Confidential" within ten (10) days after counsel receives the transcript of such deposition. Testimony and transcripts in this case shall be deemed "Confidential" during this then (10) day period.

If a party seeks to have testimony at a court hearing that quotes from or expressly refers to

Confidential material as defined in Paragraph 2 treated as “Confidential,” it shall make that request to the Court before presenting the testimony.

8. Should a party seek to file any “Confidential” documents or information contained therein with the Court, it shall first notify opposing counsel, and the parties shall attempt to work out a procedure for doing so. If the parties are unable to reach agreement within five business days, the party may file a motion to have the documents and information treated as suppressed or sealed documents. In the alternative, the party may file a motion asking the Court to rule that such documents should be so treated.

9. If Confidential Information is used during depositions, in the trial of this case or during the course of any other hearing, it shall not lose its confidential status through such use, and counsel shall exercise their best efforts and take all steps reasonably required to protect its confidentiality during such use and regarding any subsequent transcription of the proceeding.

10. Nothing herein shall be: (1) construed to affect in any manner the admissibility at trial of any document, testimony or other evidence; or (2) construed to affect the manner of this Court or its staff’s use of material marked Confidential Information.

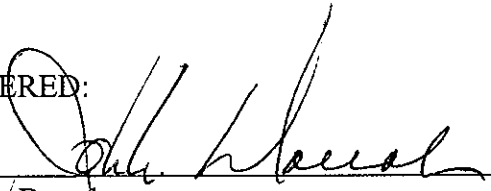
11. In the event of a proven violation of this Protective Order by a party or permitted recipients of Confidential Information, the party or any such person understands that it may, in the discretion of this Court, suffer the imposition of such sanctions as this Court deems appropriate.

12. This Protective Order may only be amended or modified by order of this Court.

The parties and their attorneys shall continue to be bound by this Protective Order after the termination of this lawsuit.

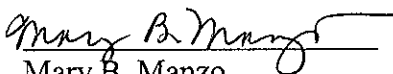
Date: 2/15/01

ENTERED:

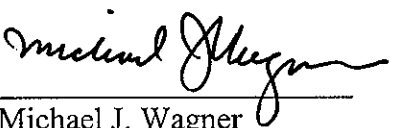


Judge Darrah

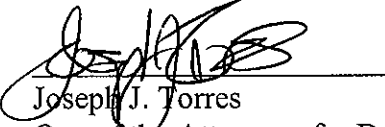
Approved:



Mary B. Manzo
One of the Attorneys for Plaintiff
Equal Employment Opportunity Commission



Michael J. Wagner
One of Attorneys for Defendants
United Blood Services and Blood Systems, Inc.



Joseph J. Torres
One of the Attorneys for Defendants
Life Source Blood Services and Institute
for Transfusion Medicine

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**UNITED STATES EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)**

Plaintiff,

v.

**UNITED BLOOD SERVICES, BLOOD)
SYSTEMS, INC., LIFE SOURCE BLOOD)
SERVICES, AND INSTITUTE FOR)
TRANSFUSION MEDICINE)**

Defendants.

**Case No. 99 C 2060
Judge Darrah**

I, _____, hereby acknowledge that I have read the Protective Order entered on _____, 2000, in connection with the above-captioned action, and am familiar with its terms.

The undersigned further acknowledges that he/she fully understands the provisions of the Protective Order, agrees to be bound by those provisions and has been apprized of the penalties attendant upon a violation of any of said provisions.

The undersigned understands that the terms of the Protective Order do not apply to any circumstances where the information was obtained independently of the discovery production in this case.

(Signature)

Dated: _____