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U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

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CLERK OF COURT  
OF MARYLAND

BY \_\_\_\_\_ DEPUTY

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION**

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

**Plaintiff, \***

**v. \* CIVIL ACTION NO. \***

**L-04-CV-3127 \***

**WORTHINGTON, MOORE AND \*  
JACOBS, INC., \***

**Defendant. \***

\* \* \* \* \*

**STIPULATED PROTECTIVE ORDER**

Upon consideration of the parties' Joint Motion for Protective Order, and for good cause shown, it is ORDERED, pursuant to Rule 26(c), F.R.Civ.P., that the personnel and payroll records of employees not identified by Plaintiff Equal Employment Opportunity Commission as "class members" and documents containing regarding Defendant's clients, commissions, compensation structure, and finances disclosed by or on behalf of Defendant Worthington, Moore & Jacobs ("Defendant") through discovery in this matter, hereafter referenced as "the protected information," shall be produced under the following conditions:

1. Subject to the exception noted in Paragraph 2 below, no Plaintiff shall disclose any of the protected information to any individual other than such attorneys, employees and expert witnesses of the Plaintiff as may be reasonably necessary to prosecute this suit. The parties, their attorneys and the attorneys' staffs shall take all necessary measures to prevent

disclosure of the protected information to outside parties. In the case of disclosure to expert witnesses, Plaintiff will provide a copy of this Order to the witness and will advise the witness, in writing, of his/her obligation to comply with this protective order.

2. Should any of the Plaintiffs believe that it is necessary for purposes of preparation for the trial in this matter to disclose any protected information to any person (hereinafter "any person") not specifically listed in Paragraph 1, that Plaintiff shall:

- (a) Inform Defendant's counsel in writing of the documents it proposes to disclose and to whom before disclosing any documents;
- (b) Defendant's counsel will inform Plaintiff's counsel whether Defendant consents to the proposed disclosure;
- (c) If Defendant does not consent to disclosure, Defendant will immediately seek a protective order to prevent disclosure. Said protective order must be filed with the Court within five business days of receipt of the written notice under paragraph 2(a) above. If said protective order is not filed within this time frame, the Plaintiff shall be entitled to proceed using the aforementioned documents. Plaintiff shall not disclose any document(s) while the motion for protective order is pending.

3. Any person, including witnesses, to whom any document(s) are disclosed shall not disclose any of the document(s) or discuss their contents, including their existence, with any person other than the parties to this action or their counsel.

4. Plaintiffs shall provide a copy of this Order to any person to whom documents may be disclosed and will advise this person, in writing, of his/her obligation to comply with

Paragraph 3 above. Plaintiffs shall retain all copies of the documents disclosed and will not permit any witness to make or retain copies.

5. Plaintiffs and their counsel shall make only such copies of the protected information as are necessary for use in this course of this matter. At the conclusion of this matter, Plaintiffs agree to destroy the protected information.

6. Any party intending to file with the Court protected information, including all pleadings, deposition transcripts, exhibits, discovery responses or memoranda purporting to reproduce or summarize confidential information shall label such information "CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER" and shall simultaneously file it with a motion to seal in accordance with Local Rule 104.13(c). In accordance with Local Rule 105.11, the confidential material shall be held under temporary seal until the Court makes a ruling on the motion to seal. If the Court determines that the pleading, deposition transcript, exhibit, discovery response or memorandum should be filed under seal, it shall remain under seal until either the Clerk destroys the sealed materials or returns it to counsel, at the end of the litigation.

7. The parties agree to submit this Stipulated Protective Order for entry to the Court, and once executed by the parties, to be bound by the terms prior and subsequent to entry by the Court.

AGREED AND CONSENTED BY:

**For Plaintiff Equal Employment  
Opportunity Commission:**

/s/ per e-mail authorization  
Maria Morocco

**For Defendant Worthington,  
Moore & Jacobs, Inc.:**

/s/  
Jeanne M. Phelan

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
10 S. Howard Street, 3<sup>rd</sup> Floor  
Baltimore, Maryland 21201

Whiteford Taylor Preston, LLP  
Seven Saint Paul Street, Suite 1300  
Baltimore, Maryland 21202

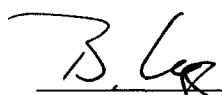
**For Intervenor Laura Thomas:**

/s/ per e-mail authorization  
Jennifer I. Klar  
Relman & Associates, PLLC  
1225 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036

**For Intervenor Nancy Guzman:**

/s/ per e-mail authorization  
Stephen B. Lebau  
Lebau & Neuworth, LLC  
606 Baltimore Avenue, Suite 201  
Baltimore, Maryland 21204

\* \* \* \* \* (BEL) \* \* \* \* \*  
\* \* \* \* \* SEPTEMBER \* \* \* \* \*  
IT IS SO ORDERED, this 7<sup>TH</sup> day of ~~August~~, 2005.

  
\_\_\_\_\_  
Benson Everett Legg,  
Chief Judge,  
United States District Court