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U.S. DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED
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U.S. DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,)

Plaintiff,)

and)

WALLACE BRADY, SYLVESTER CHISOM,)
VALERIE COX, AL GOLET,)
KELLY HATCHER, SUSAN ORIS,)
DEBORAH LAYTON, ZINA LINDSEY,)
FRANCES TAYLOR, and CAROLYN ERBY,)

Plaintiff-Intervenors,)

vs.)

BEVERLY ENTERPRISES-MISSOURI, INC.)

Defendant.)

[Handwritten signature]
[Handwritten signature]
NO. 4:98CV01579 RWS 9/22/99

STIPULATED PROTECTIVE ORDER

Plaintiff EEOC, Plaintiff-intervenors Wallace Brady, Sylvester Chisom, Valerie Cox, Al Golet, Kelly Hatcher, Susan Oris, Deborah Layton, Zina Lindsey, Frances Taylor and Carolyn Erby, and defendant Beverly Enterprises - Missouri, Inc. ("Beverly"), hereby agree and stipulate as follows:

1. Defendant has requested from plaintiff EEOC and the Plaintiff-intervenors certain information and documents in this action which have been designated confidential by the EEOC and/or a plaintiff-intervenor, including but not limited to: (1) medical records of the plaintiff-intervenors regarding their physical and mental health and well-being before, during and after their employment with defendant; (2) tax returns including W-2's from 1992 through the date of trial; and (3) documents relating to income or benefits the plaintiff-intervenors received from any

source after May 1992. These documents and this information shall be marked "Confidential Pursuant to Court Order." By agreement of the parties, the EEOC and/or plaintiff-intervenors may produce additional documents in the future which will be subject to this Order. The EEOC and/or plaintiff-intervenors will identify such documents and information and mark them "Confidential -- Subject to Protective Order."

2. Plaintiff EEOC has requested and plaintiff-intervenors may request from defendant certain information and documents in this action concerning its facility in Bridgeton, Missouri, which have been designated confidential by defendant including but not limited to (1) documents and information concerning current and former employees of defendant's Bridgeton Nursing Center other than the individual plaintiffs in this action; (2) documents concerning Quality Assurance Reviews and Division of Aging reports and responses thereto for the Bridgeton facility; (3) documents concerning complaints of race discrimination or retaliation; (4) financial and net worth information concerning BEMI; and (5) other proprietary information and documents concerning defendant's Bridgeton facility. By agreement of the parties, defendant may produce additional documents in the future which will be subject to this Order. Defendant will identify such documents and information by marking them "Confidential - Subject to Protective Order.

3. The parties consider the information and documents described in paragraphs 1 and 2 above to be confidential and have agreed that the production of said documents to requesting party's counsel shall be made only in accordance with the terms specified below.

4. Persons entitled to have and inspect such information and documents shall be limited to those persons whose review of the documents is necessary for the adequate preparation of each party's case. such persons include but are not limited to the parties' attorney, employees

of such counsel, experts and/or other witnesses assisting the parties' counsel in the preparation of this action for trial, plus court personnel and the jury. However, any medical documents or information concerning a plaintiff-intervenor shall not be shown to witnesses except medical experts or consultants. Information and materials produced pursuant to this Stipulated Protective Order shall not be disclosed to the parties or to any employee or representative of the parties in advance of trial, except as set forth in paragraph 5 below. Information and materials produced pursuant to this Stipulated Protective Order shall not be used in any other legal action or administrative proceeding or for any other purpose outside this lawsuit, without prior specific written consent of the party producing the information or materials, or unless ordered by the Court.

5. The parties' counsel shall not disclose any information or material obtained during discovery subject to this Protective Order to any person other than those persons assisting counsel in the preparation for trial of this action as specified above, or allow others to do so. All persons assisting counsel in preparation of this action shall be shown a duly executed copy of this Stipulated Protective Order and shall agree in writing to abide by the terms of this Protective Order.

6. The parties and their attorneys shall not exhibit, show, read, or communicate in any other manner the contents thereof to any other person, including employees or representatives (except as set forth above), or allow others to do so, except as necessary in the preparation for trial of this action.

7. No copies or summaries of any such confidential information or other documents shall be made or permitted to be made other than copies and summaries necessary for use in this action by counsel, employees of counsel, and experts or other witnesses assisting the parties in

the preparation of this action for trial. Such copies and summaries shall not be shown the parties' employees or representatives in advance of the trial in this action, except as set forth above.

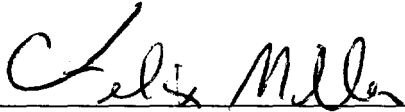
8. This Protective Order does not restrict the use of such documents at trial. Issues of use or admissibility at trial shall be determined by the Court at that time. This Protective Order also does not restrict the use by a party of documents and information obtained from sources other than another party. However, all documents and information obtained from a health care provider or employer or former employer of one of the plaintiff-intervenors shall be subject to this order and shall be considered as provided by the party to whom it relates.

9. Upon final resolution of this action, including all appeals and upon request, counsel for each party shall return to the attorney of the party producing the information or documents subject to this Protective Order, all documents and materials, including any and all copies and summaries of such documents.

10. Nothing in this stipulated protective order shall be construed as a waiver or agreement to produce documents or to provide information to which a party has otherwise objected in their responses to interrogatories or requests for production.

11. This Protective Order may be modified by agreement of the parties or Order of this Court.

Dated this ____ day of September, 1999.



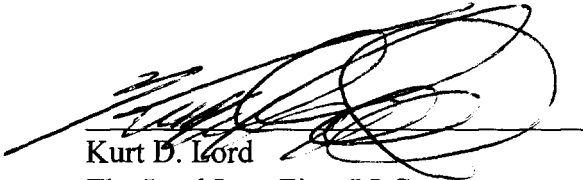
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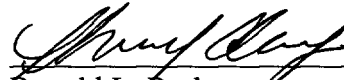


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UNITED STATES DISTRICT COURT -- EASTERN MISSOURI
INTERNAL RECORD KEEPING

AN ORDER, JUDGMENT OR ENDORSEMENT WAS SCANNED, FAXED AND/OR MAILED TO THE
FOLLOWING INDIVIDUALS ON 09/23/99 by cahring
4:98cv1579 EEOC vs Beverly Ent - MO

42:2000e Job Discrimination (Employment)

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SCANNED & FAXED BY:

SEP 23 1999

K. M. E.