

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Equal Employment Opportunity)
Commission,)
)
Plaintiff,)
v.)
Mohammed Shanif Hussein,)
)
Intervenor Plaintiff,)
v.)
Trans States Airlines,)
)
Defendant.)

Case No. 4:03CV00964 TCM

PROTECTIVE ORDER

This matter having been presented to this Court on Defendant's Motion for Protective Order,

IT IS HEREBY ORDERED that all materials that are produced by the United States to Defendant Trans States Airlines, Inc. ("Defendant") in this matter that are the property of the Federal Bureau of Investigation ("FBI"), are subject to the terms and conditions of this Protective Order. This Protective Order applies to documents marked "PROTECTED MATERIAL" by the United States or its agents, before being passed to counsel for Defendant in the matter or this Court. The material is to be clearly marked as "PROTECTED MATERIAL." Once a document or item is marked as "PROTECTED MATERIAL," the protections granted by this Protective Order shall encompass the document or item in its entirety. PROTECTED MATERIAL so marked will be treated by the Court as an in camera submission.

Counsel for Defendant will be provided with a single copy of the PROTECTED

MATERIAL, except as otherwise agreed by counsel for the United States. No copies are to be made, other than those necessary for use in accordance with this Protective Order in preparation for the case and those incidental to incorporation into a Court pleading, brief, or other document to be filed with this Court. Any such copy of the PROTECTED MATERIAL shall be submitted to the Court with a request that the PROTECTED MATERIAL be filed under seal.

Disclosure of PROTECTED MATERIAL and the information contained therein is to be limited to the Court, the parties, and counsel for the parties (including any professional, paralegal, and clerical personnel who are assisting counsel in this case). PROTECTED MATERIAL that might contain confidential information or information covered by the Privacy Act shall be otherwise maintained as confidential by the parties.

PROTECTED MATERIAL received by counsel or information contained therein is to be used only for the subject matter of the instant civil case. Authorization for use or disclosure of PROTECTED MATERIAL or information contained therein outside this matter and its appeal must be sought from this Court with notice to counsel for the United States.

Within fourteen (14) days after a final decision on the merits of this civil case, or a final settlement thereof, all PROTECTED MATERIAL in the possession of the parties shall be returned to counsel for the United States, or, with prior written agreement of counsel for the United States, retained under the terms of the Protective Order for such period as may be agreed. In the absence of such agreement and for good cause shown, the brief period for retention of this material may be extended by Order of this Court and retained by counsel for the parties pending a ruling by the Court.

Any allegations of abuse or violations of this Protective Order will be considered by the Court either for the purposes of determining whether it should enter sanctions, including an order

for contempt of Court, or for the purposes of determining whether the matter should be referred for appropriate possible disciplinary proceedings, or both.

SO ORDERED.



Judge Thomas Mummert
United States Magistrate Judge

Date: 8/13/04