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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MAR 24 2004

JAMES R. LAHSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

Plaintiff,

and

JENNIFER GIBBS

Plaintiff Intervenor,

v.

TRA INDUSTRIES, INC. a/k/a  
HUNTWOOD INDUSTRIES, INC.,

Defendant.

No. CS-03-0309-FVS

STIPULATION FOR  
PROTECTIVE ORDER  
AND PROPOSED ORDER

The parties to this action, plaintiff Equal Employment Opportunity Commission, plaintiff intervenor Jennifer Gibbs, and defendant Huntwood Industries, by and through their undersigned counsel, hereby agree and stipulate as follows:

1. This stipulation concerns documents that are produced by the parties in connection with this action and that the parties agree contain confidential information. The confidentiality provisions stipulated to herein shall govern the following agreed "Confidential" materials:

a. (1) Jennifer Gibbs's income tax returns and attached documents and (2) documents relating to her consultations with health care providers. Such documents will be marked "Confidential."

b. Other documents that may be produced from time to time by any party hereto and as to which the parties agree to designate as "Confidential." In the absence of an agreement as to designation of documents as confidential, the party requesting the designation will bring a motion to the court for resolution, pursuant to paragraph five (5) below.

2. The parties acknowledge the privacy and business considerations involved in disclosure of Confidential materials. At the same time, the parties recognize the need to have access to evidence in the possession, custody, or control of the other party.

Therefore, in an effort to address these issues, the parties agree all Confidential materials will be so designated and will be subject to the following conditions:

a. Documents or information contained in confidential materials shall not be disclosed to any persons other than:

(1) counsel for the parties and counsel's employees to the extent reasonably necessary to render professional services in this litigation;

(2) prospective witnesses, including experts, if and only if such persons

are informed of the terms of this Order and sign a statement, attached as Exhibit A, agreeing to be bound by it;

(3) Persons to whom disclosure is necessary to permit use of any covered documents as an exhibit in this lawsuit.

3. The foregoing obligations of confidentiality shall not apply to any of the above persons or parties as to any part of the documents or information that was (a) previously known to or in the possession of such person or party (except to the extent it is subject to some other confidentiality obligation); (b) available to the public at the time of production; or (c) subsequently disclosed by the party seeking confidentiality to others who are not under obligations of confidentiality to the parties.

4. If any party to this litigation disputes the applicability of this order to any documents or information, then the parties shall attempt to resolve the dispute on an informal basis. If the dispute is not informally resolved, then the dispute may be submitted by motion of one of the parties to the court for a decision.

5. Persons obtaining access to confidential documents under this order shall use the information only for preparation and trial of this litigation.

6. This stipulation may be amended without leave of the court by an agreement of counsel in the form of a stipulation to be filed with the court.

7. The parties request the Court to enter an order consistent with this stipulation.

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DATED this 17 day of March, 2004.

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Attorney for Defendant

ORDER

IT IS SO ORDERED.

DATED THIS 24 DAY OF March, 2004.

  
Fred W. Bill  
UNITED STATES DISTRICT JUDGE

**EXHIBIT A**

I, the undersigned, have read the Stipulation for Protective Order and Order in EEOC v. HUNTWOOD INDUSTRIES, INC., No. CS-03-0308-FVS (E.D Wash.) and agree to be bound by its terms.

DATED: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)