

RAKOFF, S1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

M.K.B., et al.,

Plaintiff,

vs.

VERNA EGGLESTON, et al.,

Defendant.

05 Civ. 10446 (JSR)

STIPULATION AND
PROTECTIVE ORDER

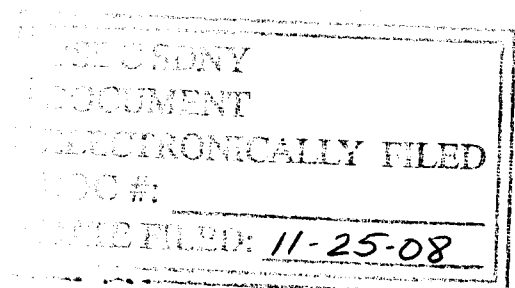
WHEREAS, Judgment in the within action was entered based on the provisions set forth in the Stipulation and Order of Settlement filed on June 26, 2007 (the "Settlement") as further set forth in the Judgment, dated July 12, 2007, which was filed on July 16, 2008; and

WHEREAS defendants are obliged to produce certain documents in connection with and pursuant to the Settlement, as further set forth therein; and

WHEREAS, the parties seek appropriate protection to assure the confidentiality of personal information about individuals contained in these documents;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for plaintiffs and defendants, as follows:

1. As used herein, "Confidential Materials" shall mean identifying information concerning any individual referenced in the documents, including but not limited to: the name; address; personal identifier, such as an individual's case number, Social Security number, alien number, and Medicaid number; and a list of personal characteristics that make the individual's identity easily traceable.



2. Such information as is specified in Paragraph "1" above shall not be deemed "Confidential Materials" to the extent, and only to the extent, that it is obtained by plaintiffs from sources other than defendants.

3. Plaintiffs' attorneys shall not disclose Confidential Materials to any individual or organization other than defendants and the individual whose case is involved, except under the following conditions:

a) Disclosure may be made to the extent necessary to enforce any right that individual may have under the Settlement;

b) Disclosure may be made if necessary to monitoring defendants' compliance with the Settlement and or enforcement of the Settlement;

c) Disclosure may be made to an expert who has been retained or specially employed by plaintiffs' attorneys in connection with the Settlement of this action or to the Court in this action;

d) Before any disclosure is made to a person listed in subparagraph (c) above (other than to the Court), plaintiffs' attorneys shall provide each such person with a copy of this Stipulation and Protective Order, and such person shall consent in writing, in the form annexed hereto as Exhibit A, to be bound by the terms of this Stipulation and Protective Order, and not to disclose the Confidential Materials except in testimony taken in connection with the Settlement in this action. The signed consent shall be retained by plaintiffs' attorneys and a copy shall be furnished to defendants' attorneys upon their request.

4. Deposition testimony, if any, subsequent to the Judgment filed July 16, 2007 in this action, concerning any Confidential Materials that reveals the contents of such materials

shall be deemed confidential, and the transcript of such testimony, together with any exhibits referred to therein, shall be separately bound, with a cover page prominently marked "CONFIDENTIAL." Such portion of the transcript shall be deemed to be Confidential Materials within the meaning of this Stipulation and Protective Order.

5. If any document that incorporates any Confidential Materials or reveals the contents thereof is filed in this Court, those portions of said document shall not be electronically filed with the court except in redacted form and the same shall be delivered to the Court enclosed in a sealed envelope bearing the caption of this action, an indication of the nature of the contents, and the following legend:

CONFIDENTIAL

This envelope contains documents or information designated confidential pursuant to an order entered by the United States District Court for the Southern District of New York in the above-captioned action. This envelope shall not be opened or unsealed without the express direction of a judge of this Court, and its contents shall not be displayed or revealed except as the Court may order. This envelope and its contents shall at all times be maintained separate and apart from the publicly available files of this case.

6. Nothing in this Stipulation and Protective Order shall be construed to limit defendants' use of the Confidential Materials in any manner, provided that defendants shall be bound by paragraphs "4" and "5" of this Stipulation and Protective Order to the extent that Confidential Materials are contained in deposition transcripts and/or in documents filed with the Court.


Dated: New York, New York
July 29, 2008

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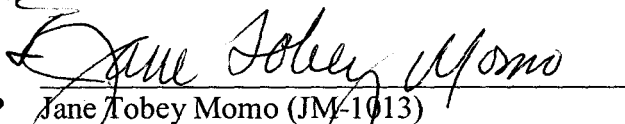
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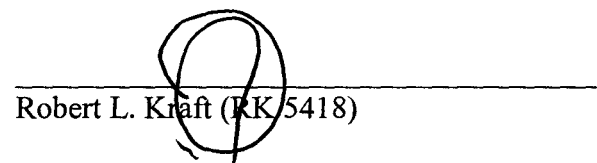
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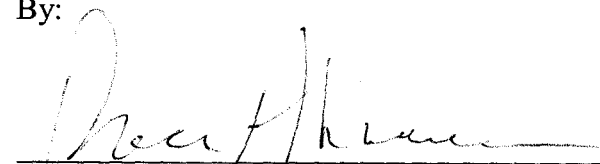
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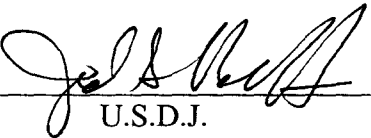
By:



Ronald Abramson (RA-0979)

Attorneys for Plaintiffs and the Plaintiff Class

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SO ORDERED:



U.S.D.J. r

11-21-08

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

M.K.B., et al., Plaintiff, vs. VERNA EGGLESTON, et al., Defendant.	05 Civ. 10446 (JSR) STIPULATION AND PROTECTIVE ORDER
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NAME OF DECLARANT declares as follows, subject to the penalties of perjury, pursuant to 28 U.S.C. § 1746:

1. I am [insert connection to this action].
2. The undersigned hereby declares that he/she has read the Stipulation and Protective Order entered in the United States District Court for the Southern District of New York on [insert date of entry, 2008], in the action entitled M.K.B. v. VERNA EGGLESTON, 05 Civ. 10446 (JSR), and understands the terms thereof. The undersigned agrees to be bound by the terms of this Stipulation and Protective Order, and not to disclose the Confidential Materials except in testimony taken in connection with the Settlement in this action, 05 Civ. 10446 (JSR).

Dated: New York, New York
Day, Month, 200_

Signature of Declarant

Printed Name of Declarant