

THE HONORABLE ROBERT J. BRYAN

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FILED RECEIVED  
MAR 27 2000  
CLERK U.S. DISTRICT COURT  
DISTRICT OF WASHINGTON AT TACOMA  
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FILED RECEIVED  
MAR 24 2000  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA  
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MAR 27 2000  
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ORIGINAL

UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

v.

ROBERT LARSON'S CHRYSLER PLYMOUTH  
OF TACOMA, INC., d/b/a ROBERT LARSON  
AUTOMOTIVE GROUP and LARSON  
MOTORS, INC.,

Defendant.

CIVIL NO. C00-5079 RJB

STIPULATION FOR  
PROTECTIVE ORDER AND  
PROPOSED ORDER

The parties to this action, Plaintiff Equal Employment Opportunity Commission ("EEOC"), proposed Plaintiffs-Intervenors, and Defendants Robert Larson's Chrysler Plymouth of Tacoma, Inc., et al. ("Larson's"), by and through their undersigned counsel, hereby agree and stipulate as follows:

1. This stipulation concerns financial information regarding Robert Larson's Chrysler Plymouth of Tacoma, Inc., Robert Larson Automotive Group, and/or Larson Motors,

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Seattle District Office  
909 First Avenue, Suite 400  
Seattle, Washington 98104-3261  
Telephone: (206) 220-6883  
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*gc*

1 Inc., sought by the EEOC through a subpoena dated February 18, 2000 directed to the law firm  
2 Davies Pearson, P.C. The confidentiality provisions stipulated to herein shall govern the  
3 following agreed "Confidential" materials, which Larson's agrees may be produced by Davies  
4 Pearson, P.C.:

- 5 a. The two most current corporate tax returns filed on behalf of Robert  
6 Larson's Chrysler Plymouth of Tacoma, Inc., Robert Larson Automotive  
7 Group, and/or Larson Motors, Inc.
- 8 b. The two most current annual financial statements compiled with regards to  
9 Robert Larson's Chrysler Plymouth of Tacoma, Inc., Robert Larson  
10 Automotive Group, and/or Larson Motors, Inc.
- 11 c. Any appraisal which has been conducted of Robert Larson's Chrysler  
12 Plymouth of Tacoma, Inc., Robert Larson Automotive Group, and/or  
13 Larson Motors, Inc and/or its stock during the past three years.

14 All such documents produced will be marked "Confidential," prior to production.

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

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

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

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

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

3 (2) prospective expert witnesses, if and only if such persons are  
4 informed of the terms of this Order and sign a statement, attached as Exhibit A, agreeing to be  
5 bound by it; and,

6 (3) after mutual agreement of the parties, persons to whom disclosure  
7 is necessary to permit use of any covered documents as an exhibit in this lawsuit. In the case a  
8 document covered by this Stipulation is to be used as an exhibit in this lawsuit, the parties agree  
9 to confer as to the necessity for filing such a document under seal.

10 3. If a party wishes to file any document covered by this order as an exhibit to a  
11 motion or with any other court filing, such document shall be filed under seal. Pleadings or  
12 briefs may refer to the existence of the covered documents, but if any pleading, brief or other  
13 court filing contains information obtained solely from a covered document, that submission shall  
14 be filed under seal.

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

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

25 6. Persons obtaining access to confidential documents under this order shall use the

1 information only for preparation and trial of this litigation.

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

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

5 DATED this 23 day of March, 2000.

6 EQUAL EMPLOYMENT OPPORTUNITY  
7 COMMISSION

C. GREGORY STEWART  
General Counsel

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**ORDER APPROVING STIPULATED PROTECTIVE ORDER**

The foregoing Stipulated Protective Order is approved, provided that the Court may modify or amend said Order as necessary in the future.

DATED THIS 7<sup>th</sup> DAY OF March, 2000.

  
\_\_\_\_\_  
THE HONORABLE ROBERT J. BRYAN  
UNITED STATES DISTRICT JUDGE

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**EXHIBIT A**

I, the undersigned, have read the Stipulation for Protective Order and Order in EEOC v. Robert Larson's Chrysler Plymouth of Tacoma, Inc., et al., Case No. C00-5079 RJB and agree to be bound by its terms.

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

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

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

ec

United States District Court  
for the  
Western District of Washington  
March 27, 2000

\* \* MAILING CERTIFICATE OF CLERK \* \*

Re: 3:00-cv-05079

True and correct copies of the attached were mailed by the clerk to the following:

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