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THE HONORABLE ROBERT J. BRYAN

FILED RECEIVED  
APR 19 2000  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA  
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APR 17 2000  
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WESTERN DISTRICT OF WASHINGTON AT TACOMA  
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8 UNITED STATES DISTRICT COURT  
9 FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

10 EQUAL EMPLOYMENT OPPORTUNITY  
11 COMMISSION,

CIVIL NO.: C00-5079 RJB

12 Plaintiff,

13 v.

STIPULATION FOR PROTECTIVE ORDER  
AND PROPOSED ORDER RE: EMPLOYEE  
INFORMATION

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

18 Defendant.

19 LARRY GARY; FIONA SISLEY-GARY;  
20 FARREL "CORKY" MORROW;  
21 DOUGLAS YOUNG; LAWRENCE  
22 DEOCAMPO; JEWEL HOBBS; GERALD  
23 ELLIS; SAMUEL MADARANG; and  
24 SONG WOON YI,

25 Plaintiffs in Intervention,

26 vs.

THE ROBERT LARSON AUTOMOTIVE  
GROUP, INC.; ROBERT LARSON'S  
CHRYSLER-PLYMOUTH OF TACOMA,  
INC.; and LARSON MOTORS, INC.,  
Washington Corporations doing business  
as Robert Larson Chrysler-Plymouth-Jeep-  
Suzuki-Hyundai; Robert Larson Porche

Stipulation for Protective Order  
Re: Employee Information - Page 1

57  
JOHNSON, GRAFFE, KEAY & MONIZ  
ATTORNEYS AT LAW  
2115 NORTH 30<sup>TH</sup>, #101  
TACOMA, WASHINGTON 98403  
(253) 572-5323

1 Audi; Robert Larson Volkswagen, Toyota  
2 of Tacoma; Larson Dodge, and Mercedes  
3 Benz of Tacoma; ROBERT LARSON,  
4 "JANE DOE" LARSON, and the marital  
5 community comprised thereof; and DOES  
6 1-10, inclusive,

Defendants.

6 Plaintiff Equal Employment Opportunity Commission ("EEOC") and Defendants Robert  
7 Larson's Chrysler Plymouth of Tacoma, Inc., et al. ("Larson's"), by and through their undersigned  
8 counsel, hereby agree and stipulate as follows:

9 1. This stipulation concerns information regarding employees of Robert Larson  
10 Automotive Group, Inc., d/b/a Toyota of Tacoma and Larson Motor Company; Larson Motors, Inc.,  
11 d/b/a Larson Dodge; and Robert Larson's Chrysler Plymouth of Tacoma, d/b/a Robert Larson's  
12 Chrysler Plymouth of Tacoma and Robert Larson's Autohaus, sought by the EEOC and required  
13 to be produced pursuant to the Preliminary Motion and Discovery Plan filed with the above-entitled  
14 Court.

15 The confidentiality provisions stipulated to herein shall govern the information provided to  
16 the EEOC on or about April 12, 2000, which consists of six pages of employee names, employment  
17 dates, addresses, and telephone numbers, for the aforementioned dealerships. This information is  
18 agreed "Confidential," from time the information is produced, up through and including mediation.  
19 Should mediation be unsuccessful, the aforementioned parties shall confer and attempt to resolve  
20 any issues with regard to maintaining the confidentiality of the information produced herein.

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

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

26 The parties acknowledge the privacy and business considerations involved in disclosure of

1 Confidential materials. At the same time, the parties recognize the need to have access to evidence  
2 in the possession, custody, or control of the other party.

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

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

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

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

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

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

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

26 5. If any party to this litigation disputes the applicability of this order to any documents

1 or information, then the parties shall attempt to resolve the dispute on an informal basis. If the  
2 dispute is not informally resolved, then the dispute may be submitted by motion of one of the parties  
3 to the court for a decision.

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

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

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

9 DATED this 12th day of April, 2000.

10 EQUAL EMPLOYMENT OPPORTUNITY C. GREGORY STEWART  
11 COMMISSION General Counsel

11 BY: *Kathryn Olson*

12 KATHRYN OLSON  
13 Seattle District Office  
14 909 First Avenue, Suite 400  
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Associate General Counsel

Office of the General Counsel  
1801 "L" Street NW  
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16 Attorneys for Plaintiff

17 JOHNSON, GRAFFE, KEAY & MONIZ

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24 Attorneys for Defendant

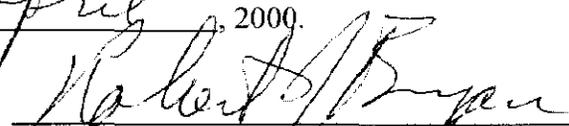
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**ORDER APPROVING STIPULATED PROTECTIVE ORDER**

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

DATED THIS 19 DAY OF April, 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)

CERTIFICATE OF SERVICE

I hereby certify that I served **Stipulation for Protective Order and Proposed Order re: Employee Information** to:

Christopher Keay, Esq.  
Cheryl A. Comer, Esq.  
Johnson, Graffe, Keay & Moniz  
101 McCarver Square  
2115 No. 30<sup>th</sup> St.  
Tacoma, WA 98403-3318  
Attorneys for Defendant

Artis C. Grant, Esq.  
Grant & Grant, Esq.  
The Law Dome  
3002 South 47<sup>th</sup> Street  
Tacoma, WA 98409

by the following indicated method or methods:

- by **mailing** a copy thereof in a sealed, first-class postage-paid envelope, addressed to the attorney(s) listed above, and deposited with the United States Postal Service at Seattle, Washington, on the date set forth below.
- by **hand delivering** a copy thereof to the attorneys for Defendant listed above, on the date set forth below.
- by **sending via overnight courier** a copy thereof in a sealed, postage paid envelope, addressed to the attorney(s) listed above, on the date set forth below.
- by **faxing** a copy thereof to the attorney(s) at the fax number(s) shown above, on the date set forth below.

DATED this 14<sup>th</sup> day of April, 2000.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

  
Victoria L. Richardson, Legal Technician

United States District Court  
for the  
Western District of Washington  
January 2, 2001

\* \* 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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Judge Bryan