

FILED
RECEIVED
MAY 01 2000
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA
DEPUTY

ORIGINAL

1 CHRISTOPHER W. KEAY
2 CHERYL A. COMER
3 JOHNSON, GRAFFE, KEAY & MONIZ
4 2115 NORTH 30TH, SUITE 101
5 TACOMA, WA 98403
6 TEL: (253) 572-5323
7 FAX:(253) 572-5413

THE HONORABLE ROBERT J. BRYAN

ENTERED
ON DOCKET
MAY 01 2000
BY DEPUTY *JC*

FILED *cc* LODGED
RECEIVED
APR 27 2000
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA
DEPUTY

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

10 EQUAL EMPLOYMENT OPPORTUNITY
11 COMMISSION,

CIVIL NO.: C00-5079 RJB

Plaintiff,

v.

STIPULATION FOR PROTECTIVE ORDER
AND PROPOSED ORDER RE: EMPLOYEE
INFORMATION

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

Defendant.

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

Plaintiffs in Intervention,

vs.

23 THE ROBERT LARSON AUTOMOTIVE
24 GROUP, INC.; ROBERT LARSON'S
25 CHRYSLER-PLYMOUTH OF TACOMA,
26 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

51
JOHNSON, GRAFFE, KEAY & MONIZ
ATTORNEYS AT LAW
2115 NORTH 30TH, #10
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 27th day of April, 2000.

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

12 BY: *Kathryn Olson*

13 KATHRYN OLSON
14 Seattle District Office
15 909 First Avenue, Suite 400
16 Seattle, Washington 98104
17 Telephone (206) 220-6915

GWENDOLYN YOUNG REAMS
Associate General Counsel

Office of the General Counsel
1801 "L" Street NW
Washington, D.C. 20507

Attorneys for Plaintiff

16 GRANT & GRANT

17 BY: *Artis C. Grant, Jr.*

18 ARTIS C. GRANT, JR.
19 3002 South 47th Street
20 Tacoma, WA 98409
21 Telephone (253) 472-6213

Attorneys for Plaintiffs in Intervention

22 JOHNSON, GRAFFE, KEAY & MONIZ

23 BY: *Cheryl A. Comer*

24 CHRISTOPHER W. KEAY
25 CHERYL A. COMER
26 2115 North 30th, Suite 101
Tacoma, WA 98403
Telephone (253) 572-5323

BULLIVANT, HOUSER, BAILEY

BY: *Douglas Andres by Cheryl Comer*
DOUGLAS ANDRES *Per telephonic approval 4/26/00.*
300 Pioneer Tower
888 S. W. 5th Avenue
Portland, OR 97201
Telephone: (503) 228-6351

Attorneys for Defendant

Stipulation for Protective Order
Re: Employee Information - Page 4

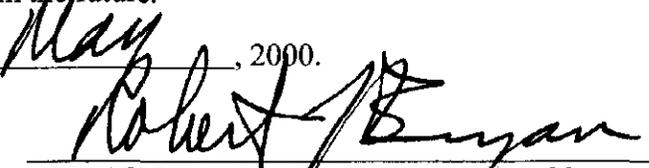
JOHNSON, GRAFFE, KEAY & MONIZ
ATTORNEYS AT LAW
2115 NORTH 30TH, #101
TACOMA, WASHINGTON 98403
(253) 572-5323

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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 1 DAY OF May, 2000.



THE HONORABLE ROBERT J. BRYAN
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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
May 1, 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:

Kathryn B Olson, Esq.
EEOC
STE 400
909 1ST AVE
SEATTLE, WA 98104
206-220-6914

A Luis Lucero Jr, Esq.
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
SEATTLE DISTRICT OFFICE
STE 400
909 FIRST AVE
SEATTLE, WA 98104-1061

Claire Cordon, Esq.
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
SEATTLE DISTRICT OFFICE
STE 400
909 FIRST AVE
SEATTLE, WA 98104-1061
206-220-6893

Christopher W. Keay, Esq.
JOHNSON GRAFFE KEAY & MONIZ
STE 101
2115 N 30TH
TACOMA, WA 98403
FAX 1-253-572-5413

Cheryl Ann Comer, Esq.
JOHNSON GRAFFE KEAY & MONIZ
STE 101
2115 N 30TH
TACOMA, WA 98403
FAX 1-253-572-5413

Douglas R Andres, Esq.
BULLIVANT HOUSER BAILEY
STE 300
888 SW 5TH AVE

PORTLAND, OR 97204-2089
503-228-6351

Beverly G Grant, Esq.
LAW OFFICES OF GRANT & GRANT
3002 S 47TH ST
TACOMA, WA 98409
FAX 1-253-473-9695

Artis C Grant Jr., Esq.
LAW OFFICES OF GRANT & GRANT
3002 S 47TH ST
TACOMA, WA 98409
FAX 1-253-473-9695

RJB