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FILED

MAR - 7 2000

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

LOGGED

13 MAR 3 2000 PAN

14 CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

17 EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
18)
Plaintiff,)
19)
v.)
20 VENATOR GROUP RETAIL, Inc.)
21 dba "FootLocker")
22 Defendants.)

CIV. S-99-1846 GEB PAN
**STIPULATION RE: PROTECTIVE
ORDER; ORDER THEREON**

23
24 Subject to the approval of this Court, the parties hereby stipulate to the following Protective
25 Order with reference to the following facts:
26
27

7

1 A. On October 27, 1999, Plaintiff Equal Employment Opportunity Commission ("EEOC")
2 served the following interrogatory requests on defendant Venator Group Retail, Inc. d.b.a. "Foot
3 Locker" ("Venator").

4 Interrogatory No. 2:

5 Identify by name, race, job title(s), dates of employment, current or last known address,
6 current or last known phone number and social security number, each individual who worked for
7 defendant at its "Footlocker" store located in Solano Mall, Fairfield, CA, during the period
8 September 1, 1997, to the present.

9 Interrogatory No. 3:

10 For each individual identified in Interrogatory No. 2, who is no longer an employee of
11 defendant, state the reason the individual left defendant's employ.

12
13 B. Venator contends that it has an obligation to protect the privacy interests of its current and
14 former employees and therefore declines to disclose the requested information absent a protective
15 order. The EEOC disagrees.

16
17 C. The parties wish to avoid the expense and delay of a motion to compel discovery. Thus a
18 Stipulation will conserve the resources of the Court and the parties.

19
20 THEREFORE, IT IS HEREBY STIPULATED by the EEOC and Venator through their
21 counsel of record as follows:

22 1. Venator shall provide complete responses to Plaintiff's First Set of Requests for
23 Interrogatories, Interrogatories Nos. 1 and 2 dated October 27, 1999 within ten days of the entry of
24 this STIPULATION AND PROTECTIVE ORDER.

25 2. All information and/or documents disclosed pursuant to this STIPULATION
26 AND PROTECTIVE ORDER shall be used only for the purposes of this litigation and shall not
27 be exhibited or disclosed by the parties to other persons except as specifically provided below. For

1 purposes of this Stipulation, the term "parties" includes only the EEOC and Venator and does not
2 include Alex Marin or Harry Marcellus, or any other individual.

3 3. Information and/or documents produced pursuant to this STIPULATION AND
4 PROTECTIVE ORDER may be disclosed, revealed or disseminated only to the Court, the parties
5 to this action, counsel of record for the parties, and their respective administrative or investigative
6 staff.

7 4. Within thirty (30) days after the conclusion of this litigation, whether by final
8 judgment, including the expiration of any and all appeals therefrom, or by settlement, the EEOC
9 will return, upon Venator's request, all documents, and all copies of such documents, produced by
10 Venator pursuant to this Order. If the EEOC does not receive such a request from Venator within
11 said thirty days, the EEOC shall destroy these documents at the conclusion of the thirty-day period.

12 5. This Order is subject to modification by Court order pursuant to motion procedure
13 by either party.

14
15 DATED: February 2⁹, 2000

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

17
18 By 
Linda Ordonio-Dixon

Counsel for Plaintiff EEOC

19
20 DATED: February 24, 2000

BROBECK, PHLEGER & HARRISON LLP

21
22 By 
Kate Jeffery Stoia

Attorneys for Defendant
Venator Group Retail, Inc.

23
24
25 **IT IS SO ORDERED.**

26 DATED: ~~February~~ 2000

MAR - 6 2000

27
28 
United States District Court Judge

PETER A. NOWINSKI
U.S. MAGISTRATE JUDGE

United States District Court
for the
Eastern District of California
March 7, 2000

* * CERTIFICATE OF SERVICE * *

2:99-cv-01846

EEOC

v.

Venator Group

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

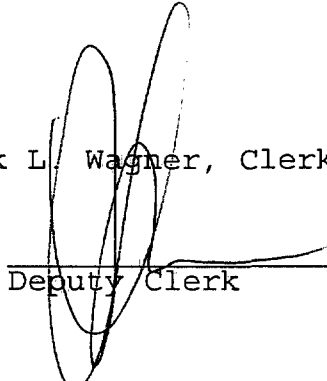
That on March 7, 2000, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

Linda Susan Ordonio-Dixon
Equal Employment Opportunity Commission
San Francisco District Office
901 Market Street
Suite 500
San Francisco, CA 94103

TM/PAN

Tracy Thompson
One Market Plaza
San Francisco, CA 94105

Jack L. Wagner, Clerk

BY: 
Deputy Clerk