

U.S. COURTS  
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J.C.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

vs.

THE AMALGAMATED SUGAR  
COMPANY LLC,

Defendant.

Civil No. CV 98-0378-S-BLW

**PROTECTIVE ORDER**

This matter having come before the Court upon the parties' Stipulation for Protective Order, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the following confidentiality provisions shall pertain to documents and information that are produced by the parties in connection with this action:

1. The parties are to keep confidential the following:
  - a. The videotape taken of Amalgamated's Nampa factory by the EEOC on January 17, 1999;
  - b. Medical or psychological information on Amalgamated's former or current

29

employees contained in Amalgamated reports, documents or other discovery produced in this litigation related to accidents or injuries occurring at Amalgamated's Nampa plant;

- c. Documents containing trade secrets, special formulas, customer lists, proprietary financial or security information;
- d. Managers' salaries; and
- e. Performance evaluations of former or current Amalgamated employees.

2. The parties shall designate in writing the documents and materials it desires be confidential.

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

- a. The parties, counsel for the parties, and counsel's employees to the extent reasonably necessary to render professional services in this litigation; and
- b. Prospective witnesses, including experts.

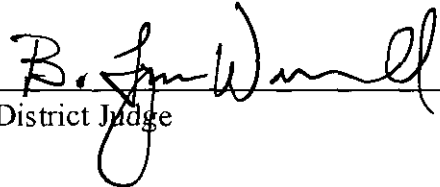
4. The foregoing obligations of confidentiality shall not apply to any of the above persons or parties as to documents or information that were (a) previously known to or in the possession of such person or party (except to the extent it is subject to some other confidentiality obligation); (b) available to the public at the time of production; or (3) subsequently disclosed by the party seeking confidentiality to others who are not under obligations of confidentiality to the parties.

5. If any party to this litigation disputes the applicability of this Protective Order to any documents or information, then the parties shall attempt to resolve the dispute on an informal basis. If the dispute is not informally resolved, then the dispute may be submitted by a motion to the Court of the party seeking the designation of confidentiality to the Court for a decision.

6. A party may designate as confidential specific portions of a deposition transcript within ten (10) days after the deposition is received. This designation shall be in writing and served on opposing counsel. No objection shall be interposed during the course of the deposition. Transcripts will be treated as confidential for the 10-day period in accordance with this Protective Order.

7. In filing materials with the Court in a pretrial proceeding, only those specific documents and the deposition testimony counsel has designated confidential shall be filed under seal.

SO ORDERED this 15<sup>th</sup> day of October, 1999.

  
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District Judge