

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

EQUAL EMPLOYMENT OPPORTUNITY)
 COMMISSION,)
)
 Plaintiff,)
)
 and)
)
 TRACY PICKETT,)
)
 Plaintiff-Intervenor,)
 v.)
)
 CWI OF MISSOURI, INC., D/B/A)
 HEARTLAND DISPOSAL SERVICES,)
 AND REPUBLIC SERVICES, INC.)
)
 Defendants.)

FILED
 APR 29 2003
 U. S. DISTRICT COURT
 E. DIST. OF MO.
 ST. LOUIS

Case No. 4:02CV-1483AGF

PROTECTIVE ORDER
REGARDING PLAINTIFF'S MEDICAL INFORMATION

Pursuant to Federal Rule of Civil Procedure 26(c)(7) **IT IS HEREBY ORDERED:**

1. This order shall govern the use, handling, disclosure, retention and return of all documents, testimony or other evidence or pleadings containing confidential medical information regarding the plaintiff, Tracy Pickett.

2. For purposes of this order, the term "medical information" includes all records, reports or testimony provided by health care providers, health care facilities, or medical expert witnesses; documents or testimony relating to the application for and/or receipt of health care or health insurance benefits; and any excerpts, summaries or other derivations produced from such information. Any documents containing such information shall be kept confidential.

3. All confidential information being produced or testified about subject to this Protective Order shall only be used or viewed by the parties (in the case of defendant this is limited to a company representative who shall be designated in writing within ten (10) days from

the entry of this order), their counsel, any medical expert witnesses retained by counsel, the judiciary, members of the jury, and court reporters whose services are provided in this case. The confidential information shall not be disclosed to or discussed with any other person, including any other employee, officer or agent of the defendant, without the written agreement of plaintiff or plaintiff's counsel or prior court approval. Defendant may seek to disclose the information to others not set forth in this Order and may do so by agreement with plaintiff's attorney. If plaintiff's attorney does not agree with the proposed disclosure, defendant reserves the right to seek judicial intervention and plaintiff shall bear the burden of proving the information should not be disclosed to the proposed individual(s).

4. The parties or their counsel may designate deposition testimony regarding Ms. Pickett's medical information as confidential or restricted subject to this Order by stating at the beginning of the deposition that information and documents to be given and produced in the deposition are confidential, or by designating such testimony as confidential within thirty (30) days of receipt of a transcript of such testimony.

5. To the extent that any motions, briefs, pleadings, deposition transcripts, or other papers to be filed with the court attach or incorporate confidential documents or deposition testimony regarding Ms. Pickett's medical information or discuss or refer to such information subject to this protective order, the party filing any such document shall designate such materials, or portions thereof, as "Confidential-Subject to Protective Order" and shall file them with the Clerk under seal or as otherwise necessary to protect the confidentiality of the information.

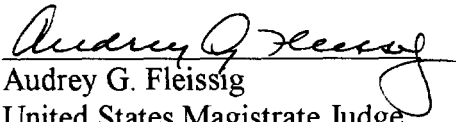
6. No documents or testimony that are designated as confidential subject to this order, or any information derived therefrom, shall be used, directly or indirectly, by any person for any purpose whatsoever other than for the preparation and trial of this action or any appeal thereof.

7. Any discovery material designated as subject to this Order that is filed with the Court shall be maintained under seal by the Clerk and shall be made available only to the Court and to counsel for the parties unless otherwise ordered by the Court.

8. Within sixty (60) days after the final termination of this litigation, all documents or deposition transcripts designated as confidential or that are otherwise subject to this order shall be returned to the party who designated the information as confidential. Documents containing any attorney's mental impression or otherwise consisting of attorney work product need not be returned.

9. This order shall not apply to documents or testimony offered in evidence at trial.

Dated this 14th day of April, 2003.


Audrey G. Fleissig
United States Magistrate Judge

AN ORDER, JUDGMENT OR ENDORSEMENT WAS SCANNED, FAXED AND/OR MAILED TO THE
FOLLOWING INDIVIDUALS ON 04/29/03 by cliddy
4:02cv1483 EEOC vs CWI of Missouri, Inc

42:2000e Job Discrimination (Employment)

Bryan Cavanaugh - 110417	Fax: 314-241-7604
David Howard - 3433	Fax: 314-454-1911
Robert Johnson - 10511	Fax: 314-539-7895
Veronica Johnson - 57348	Fax: 314-454-1911
John Sandberg - 4251	Fax: 314-241-7604
Barbara Seely - 10607	Fax: 314-539-7895
Jan Shelly -	Fax: 314-539-7895

SCANNED & FAXED BY

APR 29 2003

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