

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>SHELBI HINDEL, et. al,</b>	:
	:
<i>Plaintiffs,</i>	: Case No. 2:15cv03061
	:
v.	: Judge George C. Smith
	:
<b>SECRETARY OF STATE JON HUSTED,</b>	: Magistrate Judge Elizabeth
	: Preston Deavers
<i>Defendant.</i>	:

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**STIPULATED PROTECTIVE ORDER**

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WHEREAS, discovery sought in this action by Plaintiffs and Defendant requires the production of certain confidential and proprietary information.

WHEREAS, Plaintiffs and Defendant have agreed to the entry of this Order protecting the confidentiality of such information:

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that:

1. As used herein, "Confidential Information" means any documents or things, answers to questions propounded in a deposition, answers to interrogatories, responses to requests for admission, or other disclosure of information which is of a proprietary or otherwise confidential nature.
2. All materials designated Confidential Information, pursuant to this Stipulated Protective Order, will have stamped or printed thereon "Confidential" or some other similar legend.
3. Confidential Information shall not be used or disclosed by any person or entity for any purpose whatsoever other than the preparation for and trial of this litigation (including appeals, if any).

4. Confidential Information shall be disclosed only to the following:
  - a. Counsel for Plaintiffs, their partners, associates and employees to whom disclosure is reasonably deemed necessary by said counsel for the conduct of this litigation. Said counsel and such supporting personnel shall hold the Confidential Information in confidence and shall not disclose it to any other person not authorized to receive it under this Stipulated Protective Order.
  - b. Counsel for Defendants, their partners, associates and employees to whom disclosure is reasonably deemed necessary by said counsel for the conduct of this litigation. Said counsel and such supporting personnel shall hold the Confidential Information in confidence and shall not disclose it to any other person not authorized to receive it under this Stipulated Protective Order.
  - c. Any party who is bound by the terms of this Stipulated Protective Order, but only to the extent that such disclosure is reasonably deemed necessary by that party's counsel for the conduct of this litigation, and provided further that a party may retain documents containing Confidential Information only so long as is necessary for the conduct of this litigation.
  - d. Any expert or consultant who is retained by a party or its counsel in order to assist in the conduct of this litigation, but only to the extent that such disclosure is reasonably deemed necessary by such for the performance of such assistance. Such expert or consultant may retain documents containing Confidential Information only so long as is necessary for the performance of such assistance.
  - e. Any person whose testimony is taken or to be taken in this litigation, but only to the extent that such disclosure is necessary for the conduct of this litigation; and

provided further, that such a person may only be shown copies of documents containing Confidential Information during his or her testimony or in consultation with counsel, and may not retain any such documents or copies thereof.

- f. As to any person referred to in subparagraphs (c), (d), and (e) above, to whom Confidential Information may be shown, the attorneys of record shall first inform each such person that such Confidential Information is confidential, is to be held in confidence, and is to be used only for the purpose of preparing for and presenting evidence in this litigation and that these restrictions are imposed by a court order.
5. All documents marked as Confidential Information, which are filed with the Court, shall be placed under seal by the Clerk of Court after an appropriate motion or other request to the Court has been made and granted. All such document filed with or submitted to the Court shall be conspicuously marked "Confidential: Subject to Protective Order" prior to such filing or submission.
6. Any party who wishes to challenge the designation of material as Confidential Information shall first confer in good faith with the other party. If the parties cannot resolve the dispute, the objecting party may file an appropriate motion with the Court. A party who does not challenge a designation of material as Confidential Information at the time it is designated is not precluded from making a later challenge. However, disclosure of such information prior to the challenge will not violate this Protective Order unless it is reasonably clear that such information should have been included as Confidential Information.

7. If one party has reason to believe that a person with whom Confidential Information has been shared has disclosed such Confidential Information in contravention of this Protective Order, the party shall provide a signed statement setting forth the basis for such belief. The parties will then make a good faith effort to resolve the dispute. If the parties cannot resolve the dispute, it shall be resolved by the Court pursuant to the Federal Rules of Civil Procedure.
8. Within sixty (60) days after final termination of this litigation, counsel for each of the parties shall return to the person or entity producing it, or certify in writing the destruction of all Confidential Information in its possession or which was provided to it. Nothing in this Order shall require return and destruction of Confidential Information containing or reflected in attorney work product if such work product is maintained by counsel in strict confidence.
9. All persons and entities to whom Confidential Information is disclosed shall be bound by the terms of this Order.

**IT IS SO ORDERED.**

1/21/2016  
Date

  
Elizabeth Preston Deavers  
United States Magistrate Judge

So Agreed:

Respectfully submitted,

*s/ Nicole M. Koppitch*

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NICOLE M. KOPPITCH (0082129)\*

*\*Lead and Trial Counsel*

RENATA Y. STAFF (0086922)

Assistant Attorneys General

Constitutional Offices Section

30 East Broad Street, 16<sup>th</sup> Floor

Columbus, Ohio 43215

Tel: 614-466-2872; Fax: 614-728-7592

nicole.koppitch@ohioattorneygeneral.gov

renata.staff@ohioattorneygeneral.gov

*Counsel for Defendant*

*Ohio Secretary of State Jon Husted*

*s/Jessica P. Weber (by NMK per written  
authorization on 1/20/16)*

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DANIEL F. GOLDSTEIN

JESSICA P. WEBER

Brown, Goldstein & Levy LLP

120 E. Baltimore Street, Ste. 1700

Baltimore, Maryland 21202

Tel: 410-962-1030

Fax: 410-385-0869

dfg@browngold.com

jweber@browngold.com

*Counsel for Plaintiffs*

JASON C. BOYLAN (0082409)

KRISTEN HENRY (0082382)

Disability Rights Ohio

Ohio Disability Rights Law and Policy Center, Inc.

50 W. Broad St., Ste. 1400

Columbus, Ohio 43251

Tel: 614-466-7264

Fax: 614-644-1888

jboylan@disabilityrightsohio.org

khenry@disablityrightsohio.org

*Counsel for Plaintiffs*