

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GERALD LYNN BOSTOCK,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO: 1:16-cv-01460-ELR-WEJ
CLAYTON COUNTY,)	
)	
Defendant.)	

CONSENT PROTECTIVE ORDER

Plaintiff Gerald Bostock (“Plaintiff”) has filed this action against Defendant Clayton County (referred to as “the County” or “Defendant”), alleging discrimination because of his sexual orientation in violation of Title VII.

During discovery of this case, Plaintiff and Defendant have requested information relating to and documents containing sensitive, private, personal, and/or confidential information, including but not limited to personnel, medical and financial information, concerning Plaintiff and/or the County’s current and former employees. Plaintiff and Defendant have agreed that such information shall not be disclosed or used except as appropriate and relevant in court proceedings in this case.

Therefore, **IT IS HEREBY ORDERED THAT:**

(1) The following is designated as “Confidential Information”:

- a. The social security number of any individual;
- b. The federal and state income tax returns of Plaintiff and other tax-related documents, such as W-2 forms;
- c. Any document from the personnel or employment file of any current or former employee of the County that includes personal or private information, including but not limited to personnel, medical or financial information;
- d. Any document obtained from Plaintiff's personnel file maintained by any other employer, including but not limited to employment applications, performance evaluations, performance documents and disciplinary documents;
- e. Any document relating to any individual's medical condition or medical treatment; and
- f. Any other document that a party in good faith designates as "confidential."

(2) Confidential Information requested by a party, or otherwise produced in this litigation, whether said information be solicited from documents or by the direct testimony of any person, shall be used solely for the purposes of the captioned lawsuit, including trial preparation, and shall not, without prior written consent of the individual or entity producing the information or the party who

otherwise designated the information as “confidential”, be made available to any person other than the Court and its personnel, the parties, their counsel or individuals working on behalf of the parties or their counsel, such as professional staff, expert witness, other witnesses, potential witnesses, etc. Any person other than the Court and its personnel who reviews or receives confidential material shall not disclose such information to any other person except as allowed by and in strict conformity with this Consent Protective Order. Attorneys of record shall advise all persons who are given access to confidential documents and information of the terms of this order. Individuals who are shown Confidential Information shall not use the confidential material for any purpose unrelated to this litigation;

(3) A party, upon the providing of Confidential Information and/or documents pursuant to this Consent Protective Order, does not waive any objection to the admissibility of said information or documents or any portion thereof at trial on the grounds of relevance, privilege, prejudice or competency;

(4) The parties agree that they shall designate as “confidential” only those documents which truly contain private and highly sensitive information relating to a party or to Defendant’s current or former employees. The parties agree that if and when disputes arise to the applicability of this Order to any information produced by a party, such disputes shall be resolved, if possible, by agreement of the parties of

this action. The parties may petition the Court to resolve any such dispute if they do not come to an agreement. The parties may retroactively designate previous discovery responses and produced documents and information as “confidential” upon the Court's entry of this Consent Protective Order.

(5) A party may designate as “confidential” any portion of a deposition transcript or exhibit which such party believes contains Confidential Information under the standard set forth herein. Such designation may also be made on the record at the deposition. Transcribed deposition testimony may be also designated by a party as “confidential” within 10 days after receipt of the transcript by identifying in writing to opposing counsel the pages and lines of the transcript deemed confidential.

(6) Any “confidential” documents shall, when filed with the Court, be clearly marked “confidential,” by the party so filing. However, nothing in this order shall prevent a party from filing any documents designated as “confidential” with the court in support of any motions or other pleadings or papers, or from presenting the same to the court in a hearing, trial, appeal, or otherwise. Any party seeking further protection for Confidential Information filed or to be filed with the Court shall comply with the requirements of the United States District Court for the Northern District of Georgia’s Standing Order 04-02 and the Honorable Judge Ross’

Instructions regarding the same.

(7) This Consent Protective Order shall govern all pretrial proceedings, but shall be subject to modification either before, during, or after the trial upon the merits, upon consent of the parties, or upon application and showing of good cause by any of the parties.

(8) The inadvertent or unintentional disclosure of any Confidential Information shall not be construed to be a waiver, in whole or in part, of the Plaintiff's or Defendant's claims of confidentiality, either as to the specific confidential information or as to related information.

SO ORDERED, this 10th day of September 2021.



WALTER E. JOHNSON
UNITED STATES MAGISTRATE JUDGE

[CONSENT PAGE FOLLOWS]

CONSENTED TO this 9th day of September, 2021.

s/ Edward D. Buckley

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