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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

LINDSAY HECOX, et al.,

Plaintiffs,

v.

BRADLEY LITTLE, et al.,

Defendants.

Case No. 1:20-cv-00184-DCN

**JOINT MOTION FOR ENTRY
OF STIPULATED PROTECTIVE
ORDER RE: PLAINTIFF'S
PERSONAL AND FINANCIAL
RECORDS**

Pursuant to Federal Rule of Civil Procedure 26(c), the parties respectfully request the Court enter the Stipulated Protective Order attached hereto. The Stipulated Protective Order governs certain personal and financial records from Plaintiff Lindsay Hecox that Defendants have requested. The parties understand that, when seeking to file materials under seal, the parties must comply with the sealing procedures of District Local Civil Rule 5.3.

Accordingly, the parties respectfully request the Court enter the Stipulated Protective Order.

DATED: October 11, 2021

AGREED TO:

/s/ Richard Eppink
Richard Eppink
Counsel for Plaintiffs

/s/ Cory M. Carone
Cory M. Carone
Counsel for Defendants

/s/ Roger G. Brooks
Roger G. Brooks
Counsel for Intervenors

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 11, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

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UNITED STATES DISTRICT COURT
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LINDSAY HECOX, et al.,

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v.

BRADLEY LITTLE, et al.,

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Case No. 1:20-cv-00184-DCN

**STIPULATED PROTECTIVE
ORDER RE: PLAINTIFF'S
PERSONAL AND FINANCIAL
RECORDS**

The parties have stipulated and jointly moved for a Protective Order regarding certain of Plaintiff Lindsay Hecox's personal and financial records that Defendants have requested. The Court finds good cause for protecting those records and **HEREBY GRANTS** the parties' stipulation and joint motion, and therefore **ENTERS** the following PROTECTIVE ORDER.

1. At Defendants' request, Plaintiff Lindsay Hecox has prepared certain personal and financial records for production to Defendants' and Intervenor's counsel. Those records are Bates numbered HECOX_001 through HECOX_084 and will be produced electronically in PDF format. Those records, and those records alone, are the subject of this protective order. Those particular records are referred to as the "Records" in this Protective Order.
2. Plaintiff's counsel shall prominently mark each PDF page of the Records "**CONFIDENTIAL / SUBJECT TO PROTECTIVE ORDER.**" Plaintiff's counsel may choose to also include

“CONFIDENTIAL – PROTECTIVE ORDER” in the filename of each PDF of the Records.

3. Access to the Records shall be restricted to:
 - a. The Court and its officers;
 - b. Attorneys in this action and their support staff, including paralegals, legal interns, and legal assistants;
 - c. Plaintiff Lindsay Hecox; and
 - d. Testifying or consulting experts, and employees or agents of Boise State University, in connection with the preparation for this action, and the Governor, and his attorney and staff, PROVIDED that each such expert, Defendant, employee, staff member and agent has read this Protective Order and agreed in writing to be bound by it.
4. Attorneys and their support staff, as well as experts and Boise State University employees or agents and those in the Governor’s office with access to the Records, shall sequester the Records in electronic folders with “CONFIDENTIAL – PROTECTIVE ORDER” in the folder’s name and maintain those folders in a way that is distinct from other folders about this case or other matters. If printed, Attorneys and their support staff, as well as experts and Boise State University employees or agents and those in the Governor’s office with access to the Records, shall keep the printed Records in an

envelope prominently marked “**CONFIDENTIAL INFORMATION / SUBJECT TO PROTECTIVE ORDER.**”

5. Any filing with the Court that discloses or attaches any of the Records of any part of the Records shall be redacted before filing or filed under seal. Where possible, those portions of filings with the Court that disclose or attach any part of the Records shall be redacted, in which case the filing need not be filed under seal.
6. Unless otherwise agreed by counsel for the parties, or as may be ordered by the Court, only those persons authorized by this Protective Order to access the Records may be present during those portions of a deposition, hearing, or trial when any of the Records are being used as an exhibit or quoted in questioning.
7. Unless otherwise agreed by counsel for the parties, or as may be ordered by the Court, or as otherwise required by law, the parties or anyone acting on their behalf may not voluntarily disclose the Records to any state or federal law enforcement or regulatory agency, or any employee thereof, except in this litigation as set forth in paragraph 6.
8. Plaintiff's counsel shall designate within 30 days of receipt of a deposition, hearing, or trial transcript any portions that it believes is protected by this Protective Order. If any other party disputes the designation, the parties shall meet and confer about the

designations, and, if they do not resolve the dispute, the parties shall present the dispute to the Court.

9. Within 30 calendar days following this action's final determination, Defendants' and Intervenors' counsel shall certify in writing to Plaintiff's counsel that all copies of the Records accessed by Defendants' or Intervenors' attorneys, staff, and experts, as well as Boise State University employees and agents, have been permanently deleted and destroyed, although Defendants' and Intervenors' attorneys may retain copies of all pleadings, motions and other documents filed with the Court, including any attachments, exhibits or appendices.
10. Nothing in this Protective Order shall prevent a party from seeking any change or modification to this Protective Order, or foreclose any party from requesting any further or additional protective orders. The Court reserves the right to make any changes or modifications to this Protective Order that it determines to be in the interests of the parties, and to enter further orders upon request of either party.
11. If, at any time, a party believes that information in a document marked as "CONFIDENTIAL/SUBJECT TO PROTECTIVE ORDER" should not be deemed as confidential under this protective order, such party shall so notify the party designating the documents as confidential in writing. Counsel shall then, within a reasonable time (not to exceed five (5) business days) after such

notice is received, meet and confer concerning the documents issue. Any such conference must occur within five (5) business days of the date of the notice of dispute. If agreement is not reached, any party may, by motion noticed to all parties, seek a determination from the Court regarding the dispute. If such a motion is brought, the party designating the documents as confidential shall bear the burden of justifying the “CONFIDENTIAL/SUBJECT TO PROTECTIVE ORDER” designation, but the documents designated as confidential or the information contained therein may not be disclosed pending the Court’s resolution of the dispute.

12. Any violation of this Protective Order shall constitute a violation of an order of the Court and shall be punishable as such. The final determination or settlement of this action shall not release any person who has accessed any of the Records from obligations under this Protective Order, and the Court shall retain jurisdiction to enforce the provisions of this Protective Order after the final determination or settlement of this action.

NOW THEREFORE IT IS HEREBY ORDERED, that the stipulation and joint motion for an Protective Order is GRANTED and that the Protective Order set forth above is APPROVED and ENTERED.

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Richard Eppink
Attorneys for Plaintiffs