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8 Attorneys for Defendant,
9 COUNTY OF SHASTA, TOM BOSENKO,
10 OFFICER WESTMORELAND, OFFICER HENDERSHOT,
11 OFFICER GALINDO, OFFICER ABERNATHY and
12 CAPTAIN DON VAN BUSKIRK

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 DALE YEADON, NO. 2:08-CV-03003 LKK KJM

16 Plaintiff,

17 **STIPULATION AND REQUEST FOR**
18 **PROTECTIVE ORDER**

19 vs.

20 SHASTA COUNTY JAIL, SHERIFF TOM
21 BOSENKO, PRISON HEALTH SERVICES
22 LLP, OFFICER WESTMORELAND,
23 OFFICER HENDERSHOT, OFFICER
24 GALINDO, OFFICER ABERTNATHY, and
25 Does I through XX

26 Defendants.

27 _____/
28 The parties have stipulated and request that the Court enter a
Protective Order.

Plaintiff, Dale Yeadon has requested discovery of certain
materials contained in the personnel files of the individual
defendants which includes:

1. Performance evaluations of defendants Westmoreland,
Hendershot, Abernathy and Van Buskirk for the five years
preceding July 27, 2007.

2. Performance evaluations of defendant Galindo from July 27,
2002 through the date his employment with the County of
Shasta ended.

3. Documents pertaining to disciplinary action involving defendants Westmoreland, Hendershot, Abernathy and Van Buskirk arising out of their supervision or interaction with Jail inmates for the five years preceding July 27, 2007.

4. Documents pertaining to disciplinary action involving defendant Galindo arising out of his supervision or interaction with Jail inmates from July 27, 2002 through the date his employment with the County of Shasta ended.

5. Copies of any complaints of abuse or threats by defendants Westmoreland, Hendershot, Galindo, Abernathy and Van Buskirk towards inmates for the five years preceding July 27, 2007.

6. Copies of any complaints of abuse or threats by defendant Galindo towards inmates from July 27, 2002 through the date his employment with the County of Shasta ended.

Defendants have agreed to produce copies of the listed documents on the condition that the disclosure shall be subject to a protective order that plaintiff shall not distribute the documents or the information they contain to anyone other than their experts and shall return the materials upon the conclusion of this lawsuit as more fully set forth in the Protective Order.

The parties hereby stipulate that the Court may enter the attached Protective Order.

DATED: September 21, 2009.

BRICKWOOD LAW OFFICE

/s/ Rodney M. Blaco
RODNEY M. BLACO
Attorney for Defendants

1 DATED: September 15, 2009.

KUMIN SOMMERS LLP

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3 /s/ Amanda Bruss

AMANDA BRUSS

Attorney for Plaintiff

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5 **PROTECTIVE ORDER**

6 The Court has reviewed the Stipulation for Protective Order and
7 good cause appearing makes the following Order:

8 IT IS ORDERED:

9 To plaintiff Dale Yeadon, your agents, employees, attorneys and
10 anyone acting on your behalf, YOU ARE ORDERED AS FOLLOWS:

11 1. You may not copy, duplicate or reproduce any part of the
12 documents produced from defendants' personnel files in response to
13 plaintiff's Request for Production of Documents and Things Set No.
14 One, specifically including:

- 15 - Performance evaluations of defendants Westmoreland,
16 Hendershot, Abernathy and Van Buskirk for the five years
17 preceding July 27, 2007;
- 18 - Performance evaluations of defendant Galindo from July 27,
19 2002 through the date his employment with the County of
20 Shasta ended;
- 21 - Documents pertaining to disciplinary action involving
22 defendants Westmoreland, Hendershot, Abernathy and Van
23 Buskirk arising out of their supervision or interaction
24 with Jail inmates for the five years preceding July 27,
25 2007;
- 26 - Documents pertaining to disciplinary action involving
27 defendant Galindo arising out of his supervision or
28 interaction with Jail inmates from July 27, 2002 through

- 1 the date his employment with the County of Shasta ended;
- 2 - Copies of any complaints of abuse or threats by defendants
- 3 Westmoreland, Hendershot, Galindo, Abernathy and Van
- 4 Buskirk towards inmates for the five years preceding July
- 5 27, 2007; and,
- 6 - Copies of any complaints of abuse or threats by defendant
- 7 Galindo towards inmates from July 27, 2002 through the date
- 8 his employment with the County of Shasta ended;

9 except as necessary to exchange information between the parties to

10 these proceedings, their attorneys or their respective experts during

11 the pendency of this case, for use by the parties at trial and for no

12 other purpose.

13 2. You may not convey, transfer, publish or distribute the

14 documents or information contained in these documents or authorize

15 another to do so except between the parties to the proceedings, their

16 attorneys or their respective experts during the pendency of this case

17 and for use by the parties at trial.

18 YOU ARE FURTHER ORDERED to return all copies of the documents

19 provided to you at the final conclusion of the present proceeding to

20 the attorney for the County of Shasta in this action, Gary Brickwood,

21 Brickwood Law Office, 1135 Pine Street, Suite 210, Redding,

22 California, 96001.

23 DATED: September 24, 2009.

24 
25 U.S. MAGISTRATE JUDGE

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