

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF RIVERSIDE, Hall of Justice

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5 **PEOPLE OF THE STATE OF CALIFORNIA,**

Case No RIF1204202

6 Plaintiff,

7  
8 **v.**

**PROTECTIVE ORDER**

9 **KRISTIE MARIE HAMERNIK,**

10 Defendant.

11  
12 A party to this action has moved that the court enter a protective order. The court has  
13 determined that the terms set forth herein are appropriate to protect the respective interests of the  
14 parties, the public, and the court. Accordingly, it is ORDERED:

15 1. **Scope.** The documents requested by the defendant and obtained through court order  
16 issued on October 23, 2013, are restricted from disclosure to anyone other than the parties to this  
17 action as they concern confidential medical information not subject to dissemination to the public  
18 as per the Health Insurance and Portability and Accountability Act (HIPAA), 45 CFR §164.502 *et*  
19 *seq.* (2013)

20 2. **Motions and Pleadings.** To the extent that it is necessary for a party to discuss the  
21 contents of any confidential information in a motion or pleading, then such portion of the motion  
22 or pleading shall be filed under seal with leave of the court. In such circumstances, counsel shall  
23 prepare two versions of the motion or pleading, a public and a confidential version. The public  
24 version shall contain a redaction of references to that information deemed confidential. The  
25 confidential version shall be a full and complete version of the motion or pleading and shall be  
26 filed with the clerk under seal. A copy of the unredacted motion or pleading shall also be  
27 delivered to the judge's chambers.

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**3. Use of Confidential Documents or Information at Trial.** If a party intends to present at trial confidential documents or information derived therefrom, such party shall provide advance notice to the other party at least five (5) days before the commencement of trial by identifying the documents or information at issue as specifically as possible without divulging the actual documents or information.. The Court may thereafter make such orders as are necessary to govern the use of such documents or information at trial.

**4. Obligations on Conclusion of Litigation.**

(a) Order Remains in Effect. Unless otherwise agreed or ordered, this Order shall remain in force after dismissal or entry of final judgment not subject to further appeal.

(b) Return or destruction of confidential documents. Within thirty days after dismissal or entry of final judgment not subject to further appeal, all documents treated as confidential under this Order, including any and all copies shall be returned to the producing party or destroyed per HIPAA requirements. 45 CFR § 164.512 (e)(v)(B).

**5. Persons Bound.** This Order shall take effect when entered and shall be binding upon all counsel and the defendant as well as persons made subject to this Order by its terms.

**SO ORDERED**

Dated: \_\_\_\_\_

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Judge, Riverside County  
Superior Court