

PROTECTIVE ORDER

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IN THE MATTER OF THE APPEAL OF:

**DAVID JOHNSON**, Appellant,

vs.

**DEPARTMENT OF SAFETY, DENVER SHERIFF'S DEPARTMENT**,  
and the City and County of Denver, a municipal corporation, Agency.

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Consistent with the terms of the Discovery Order 11/13/13, regarding discovery and disclosure of confidential disciplinary records maintained by the Agency regarding Deputy Robin Mazotti (S94088), the Hearing Officer enters the following Protective Order. This Protective Order protects the confidential disciplinary records from release while, at the same time, allowing use of potentially relevant information to litigate this appeal.

Order.

The Agency shall produce to Appellant's counsel confidential disciplinary records regarding Deputy Robin Mazotti (hereinafter "confidential disciplinary records") in a redacted form on or before **November 26, 2013**. The subject confidential disciplinary records shall be disclosed only for purposes of the litigation of the within disciplinary appeal and shall be subject to the following restrictions:

1. The confidential disciplinary records shall be maintained at the office of the Appellant's counsel and shall not leave that office for any reason unless essential for litigation of this case. Such documents or records shall not be copied or duplicated by Appellant's counsel unless such copying is essential for the Appellant's hearing preparation, and all such copies or duplications, whether complete or partial, shall remain subject to the restrictions described by this Protective Order.

2. The confidential disciplinary records shall not be disclosed to anyone by Appellant's counsel, except to members of Appellant's counsel's staff, or any employees or agents thereof, except that Appellant's counsel may discuss and review such information or documentation with the Appellant, but only to the extent that such discussion and review is essential for hearing preparation and only after the parties have been fully informed of, and expressly agreed to, the restrictions described by this Protective Order.

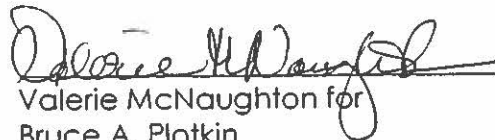
3. Appellant's counsel may also discuss and review the confidential disciplinary records with any experts who are retained by counsel in this litigation and with any other witnesses, to whose testimony the documents will be necessary, including any witnesses or expert witnesses of opposing counsel, or any current employee of the Agency, but only to the extent that such discussion and review is essential for counsel's hearing preparation and only after such experts and witnesses have been fully informed of, and expressly agree to, the restrictions described by the Protective Order.

4. When this litigation has been fully decided, including the completion of all possible appellate procedures, Appellant's counsel shall destroy or return to the Agency's counsel all confidential disciplinary records received from the Agency, along with all copies and duplicates. Hearing exhibits and similar material that may contain or reflect confidential discipline records need not be returned to counsel, but such materials shall be destroyed or preserved by Appellant's counsel in a manner that is fully consistent with the spirit of this Protective Order.

5. Counsel of record shall ensure that their respective clients and staff be apprised of the conditions of this Protective Order in this case and that they understand the terms of said Order prior to any disclosure of the confidential disciplinary records or information

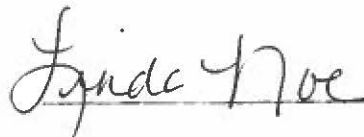
6. The Hearing Officer retains jurisdiction to enforce and ensure compliance with the conditions of this Protective Order, and any violation may subject the offending party to court sanctions.

Done this 20 day of November, 2013.

  
Valerie McNaughton for  
Bruce A. Plotkin  
Career Service Hearing Officer

I certify that, on November 20, 2013, I delivered a correct copy of Order to the following, in the manner indicated:

David Johnson, <a href="mailto:David.Johnson@denvergov.org">David.Johnson@denvergov.org</a>	(via email);
Carrie Slinkard, Esq., <a href="mailto:CSlinkard@brunolawyers.com">CSlinkard@brunolawyers.com</a>	(via email);
City Attorney's Office at <a href="mailto:Dlefilng.litigation@denvergov.org">Dlefilng.litigation@denvergov.org</a>	(via email);
Richard Stubbs, ACA, <a href="mailto:Richard.Stubbs@denvergov.org">Richard.Stubbs@denvergov.org</a>	(via email);
Amy Kingston, ACA, <a href="mailto:Amy.Kingston@denvergov.org">Amy.Kingston@denvergov.org</a>	(via email);
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Lynda Noe