

IN THE CIRCUIT COURT
OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

BECKY BACHELLER,

CASE NO. 48-2008-CA-015211-O (Div. 35)

Plaintiff,

vs.

WALT DISNEY WORLD CO. d/b/a
WDW HOSPITALITY & RECREATION
CORPORATION/ DISNEYQUEST,

Defendant.

FILED IN
CIVIL DIV.
2008 SEP 15 PM 2:23
CLERK COUNTY COURT
ORANGE CO., FL.

AGREED PROTECTIVE ORDER REGARDING DISCOVERY

THIS CAUSE having come to be agreed upon between the parties, Defendant Walt Disney World Co. Motion for Protective Order regarding discovery, and the Court being otherwise fully advised in the premises it is hereby,

ORDERED AND ADJUDGED that Defendant's Motion for Protective Order on Discovery be and the same is hereby **GRANTED** as follows:

1. The Defendant has provided the Plaintiff with the following document:
 - (a) Relevant portions of Walt Disney World Co. "Custodial Operating Guidelines" in effect on the date of the subject incident for DisneyQuest.
2. The items listed in paragraph 1 of this Order shall be covered by this Protective Order and shall be considered "protected information."
3. No person, whether or not a party to this case, to whom Protected Information has been disclosed, in accordance with this Protective Order or otherwise, shall use or disclose any Protected Information for any purpose other than this litigation, or in any manner inconsistent with the terms of this Protective Order.

4. With the exception of the persons described in subparagraphs (a), (b) and (g) of paragraph 5 below, any persons being given access to Protected Information shall be provided with a copy of this Protective Order and shall agree to be bound by the Protective Order.

5. Any Protected Information and any information derived therefrom, shall not be given, shown, disclosed or made available in any way to any persons other than:

- (a) counsel of record for the parties to the action;
- (b) para-professionals, secretaries and other non-attorney personnel who are employed by the parties' counsel of record, but only to the extent that disclosure to such persons is necessary in order for them to assist attorneys involved in the preparation of the case;
- (c) the parties, such officers and employees of the parties, including in-house counsel, as counsel of record deem necessary to assist them in this case;
- (d) experts retained or consulted by the parties' counsel of record for purposes of this action;
- (e) party or non-party witnesses in the course of deposition or trial testimony if, in the reasonable and good faith of the parties' counsel, examination with respect to such information is necessary for legitimate discovery or trial purposes;
- (f) court reporters and persons preparing transcripts of depositions; and
- (g) the court and/or jury in accordance with paragraph 6 below.

6. No Protected Information, or any information derived therefrom, shall be filed with, submitted to or otherwise disclosed to the Court in this action or in any appeal herein, except as provided in this Protective Order. If any Protected Information or any information derived therefrom, is submitted to or otherwise disclosed to the Court, it shall be separately filed under seal with the Clerk of the Court in an envelope marked "Confidential," shall be held by the Clerk in such a manner as to prevent any disclosure thereof, and shall be disclosed by the Clerk only to the Court or pursuant to Court Order.

7. Any papers or transcripts filed with or submitted to the Court containing Protected Information or any information derived therefrom, shall not be served upon or disclosed to any persons except those persons to whom disclosure is permitted under paragraph 5 of this Protective Order.

8. Within sixty (60) days of the termination of this litigation, including any appeals herein, all Protected Information and any materials which contain, disclose or reflect Protected Information shall be:

- (a) returned to the party which produced the Protected Information; or
- (b) destroyed by the party in possession thereof, and such destruction shall be certified to the party that produced the Protected Information.

9. This Protective Order shall survive the conclusion of this litigation, including any appeals herein, and the restrictions or communication and disclosure of Protected Information set forth herein shall continue to be binding upon the parties to this action and all other persons to whom Protected Information has been communicated or disclosed.

10. The production of the above-referenced documents, pursuant to this Protective Order, shall not be construed as a concession by the designating party that such information is relevant, material, or admissible as to any issue. Nothing in this Protective Order shall be construed as waiving any objection to the production of evidence or to discovery requests.

11. Should the protected documents be deemed admissible, this protective order will not foreclose the parties' ability to submit the protected documents to a jury, judge and/or appellate court for review or foreclose the parties' ability to include the

protected documents in a Power Point presentation or other demonstrative exhibit to be shown at trial.

DONE AND ORDERED at Orlando, Orange County, Florida, this 15 day of September, 2008.



REGINALD K. WHITEHEAD
CIRCUIT JUDGE

Copies furnished to:

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