

STATE OF MINNESOTA
COUNTY OF BLUE EARTH

DISTRICT COURT
FIFTH JUDICIAL DISTRICT
FAMILY COURT DIVISION

In re the Marriage of:

Kristian Ann Kanstrup,
Petitioner,

File No. 07-FA-19-3048

and

Cory Lynn Kanstrup,
Respondent.

**STIPULATION FOR PROTECTIVE
ORDER AND PROTECTIVE ORDER**

STIPULATION

WHEREAS, counsel for the parties sought documents from one another through Interrogatories and Request for Production of Documents, including medical records and therapy records for the parties and minor children;

WHEREAS, the parties have a legitimate interest in preserving the confidentiality of information and documents relating to the parties' and the children's medical records and protecting such information found in the records and documents from public disclosure;

WHEREAS, the parties to this litigation, by and through their respective attorneys, hereby stipulate to entry by the Court of a Protective Order pursuant to MINN. R. CIV. P. 26.03, on the terms and conditions set forth herein.

NOW, THEREFORE, the parties and their undersigned attorneys hereby stipulate and agree that the following Protective Order may be entered in this action on the ex parte application of either party without notice to the other.

IN WITNESS WHEREOF, the parties, through their undersigned attorneys, have agreed to these provisions.

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ATTORNEY FOR RESPONDENT

PROTECTIVE ORDER

Upon the foregoing Stipulation and all of the files and records of this proceeding,

IT IS HEREBY ORDERED:

1. This Stipulation and Protective Order governs the handling of all medical records or information produced or filed during the discovery proceedings in this action, including but not limited to mental health and therapy records, relating to Petitioner Kristian Ann Kanstrup, Respondent Cory Lynn Kanstrup, or the parties' minor children, whether produced or filed before or after the date hereof.

2. All medical records shall be used solely for the purpose of preparing for or conducting this action.

3. In connection with the discovery proceedings in this action, any and all medical records and information relating to Petitioner Kristian Ann Kanstrup, Respondent Cory Lynn Kanstrup, or the parties' minor children shall be deemed confidential under the terms of this Protective Order.

4. The protection afforded by this Protective Order covers all such medical information whether marked confidential or unmarked exchanged in

this proceeding relating to Petitioner Kristian Ann Kanstrup, Respondent Cory Lynn Kanstrup, or the parties' minor children, for the purposes of the discovery proceedings.

5. Such confidential documents, materials and information derived therefrom may only be disclosed to qualified persons, who are defined to consist exclusively of:

- a) The parties to this action;
- b) The undersigned designated counsel for the parties to this action and such regular employees or representatives of such counsel as are required to assist in the conduct of this action;
- c) Independent bona fide experts or consultants working with counsel for either party;
- d) The Court as provided herein; and
- e) Such other persons on whom counsel for both parties agree.

6. If confidential documents, material or information derived therefrom are to be included in any papers to be filed in Court, such papers shall be labeled "Confidential – Subject to Protective Order" and filed in a sealed envelope. The Clerk of this Court shall maintain such sealed envelopes intact and unopened except as otherwise directed by the Court. Such documents, material and information nevertheless may be referred to in oral and written presentations to the Court.

7. Each person other than the parties, their counsel and its regular employees given access to confidential documents pursuant to the terms hereof shall be advised that the confidential documents, materials or information are being disclosed pursuant to and subject to the terms of this Stipulation and Protective Order, and may not be disclosed other than pursuant to the terms hereof and shall sign a copy of this Protective Order indicating his or her acceptance of the terms thereof.

8. Nothing in this Stipulation and Protective Order shall be deemed or construed to restrict in any way any party or its counsel with respect to its own documents or other information or to prevent any party from interposing an objection to a request for any discovery on any ground.

9. Immediately after entry of a final judgment and the conclusion of the last appeal therefrom in this action, all combined documents, material or information designated as "confidential", or other such documents not marked as confidential that relate in any way to Petitioner Kristian Ann Kanstrup, Respondent Cory Lynn Kanstrup, or the parties' minor children medical records or information, together with all copies or summaries thereof and notes with regard thereto, shall be destroyed or returned to Petitioner/Respondent within thirty (30) days of the conclusion of this action. All parties to this action shall certify in writing to all other parties that they have complied with the terms of this paragraph within forty-five (45) days of the conclusion of this action.

10. The obligations of this Stipulation and Protective Order shall continue after the conclusion of this action unless modified by further Order of this Court.

IT IS SO ORDERED BY THE COURT

Judge of District Court