

STIPULATION

1. This Stipulated Protective Order shall apply to all information, documents and things subject to discovery in this action, which are confidential medical, social, or psychological records which include but are not necessarily limited to the parties' medical and therapy records (hereafter "CONFIDENTIAL MATERIALS").

2. CONFIDENTIAL MATERIALS shall be deemed confidential, unless and until this Court rules to the contrary, and access thereto or dissemination thereof by the receiving party and any persons named below who receive such materials from the receiving party shall be limited, unless and until the parties agree otherwise in writing or this Court rules that there may be further disclosure, to:

a. Trial counsel, partners and associates of trial counsel of record in this action (and their secretarial, clerical, legal assistant and paralegal employees) as needed to provide representation to their client. As used in this Stipulated Protective Order, "trial counsel of record in this action" or "trial counsel" is the firm of Kohlmeyer and Hagen Law Firm representing Respondent, the firm of Saxton Peterson Law firm representing Petitioner, and any future attorneys or firms representing Petitioner or Respondent.

b. The individual parties shall not be allowed to have copies of any CONFIDENTIAL MATERIALS. They may review copies of the documents in their attorney's office, but shall not be allowed to copy, photograph, make notes regarding, or have access to the documents outside of their attorney's office.

c. Such experts or consultants as may be selected by trial counsel to furnish expert services and/or give testimony in the litigation with respect to the information so disclosed, including their stenographic and clerical personnel; provided that disclosure to

such outside experts or consultants and their stenographic and clerical personnel shall be made only after trial counsel intending to provide such disclosure notifies opposing counsel in advance of said disclosure of the name of the expert to whom disclosure is being made and the purpose for said disclosure. Said advance notice shall be sufficient to allow opposing counsel to object to said disclosure, and if an objection is made, disclosure shall not be made until the terms of said disclosure are agreed upon between counsel for both parties, or pursuant to Court Order.

- d. Any neutral engaged by the parties to facilitate ADR.
- e. Court reporters retained to transcribe testimony.
- f. Persons shown on the face of the document to have authored or received it.
- g. The Court and its staff unless and until the Court rules or the parties agree in writing that there may be further disclosure.

3. CONFIDENTIAL MATERIALS shall not be made public by the receiving party or divulged to anyone other than the persons entitled to access under Paragraph 2. CONFIDENTIAL MATERIALS shall be used by the receiving party and designated recipients for purposes of this litigation only. If CONFIDENTIAL MATERIALS are to be filed with the Court in connection with any proceedings herein, they shall be filed as a confidential matter.

4. CONFIDENTIAL MATERIALS may be used in testimony at trial, at any motion hearing, and at depositions and may be offered in evidence at trial or at any motion hearing, all subject to any further Order regarding confidentiality that this Court may enter, and may be used to prepare for, and conduct discovery, to prepare for trial and to support or oppose any motion, all subject to the provisions of this Order, but may not be used for any other purpose except as agreed upon in writing by the parties, expressly provided herein, or by further Order of the Court.

5. Nothing in this Protective Order shall require disclosure of material which a party contends is protected from disclosure by the attorney-client privilege or the attorney work-product immunity. This shall not preclude either party from moving the Court for an order directing the disclosure of such material.

6. The Order shall not prevent a party from applying to the Court for relief therefrom, or from applying to the Court for further or additional protective orders, or from agreeing between themselves to modifications of this Protective Order, subject to the approval of the Court. The party seeking the information may request that the party asserting the confidentiality consent to:

- a. A change in the designation of any document, transcript and/or other information as CONFIDENTIAL MATERIALS; and/or
- b. Permission to show the information to persons in addition to those specified herein.

Such request shall be by written notice sent to the party (or their attorney if represented) or non-party who designated the subject matter as CONFIDENTIAL MATERIALS. If the requested change is not granted within 7 days, the requesting party may move this Court for a change of designation, or a modification of the list of people permitted to review the document. The party asserting that the material is CONFIDENTIAL MATERIALS shall have the burden of proving that the information in question is within the scope of protection afforded by Minn. R. Civ. P. 26.03. In the event that a motion for modification of the list of people permitted to review the document is granted, such person may have access to CONFIDENTIAL MATERIALS.

7. This Protective Order shall not preclude a party from enforcing its rights against any party or non-party believed to be violating the rights of that party.

8. This Stipulated Protective Order shall survive the final termination of this action with respect to any retained CONFIDENTIAL MATERIALS.

9. This Stipulated Protective Order shall apply to any custody or parenting time proceeding between the parties, and any post-decree proceedings, however captioned.

Dated: Aug 8, 2022

Beth Wiemert
Beth Wiemert
Petitioner

Dated: _____, 2022

Andrew Weimert
Respondent

Dated: _____, 2022

Jason Kohlmeyer
Kohlmeyer & Hagen Law Office
Attorneys for Respondent

Dated: Aug 10, 2022

Tami L. Peterson
Tami L. Peterson
SAXTON PETERSON LAW FIRM
Attorney for Petitioner

ORDER

SO ORDERED.

BY THE COURT:

Dated: _____, 2022

JUDGE OF DISTRICT COURT