

**ROBB EVANS & ASSOCIATES LLC**

**Receiver of**

**The Rodis Law Group, Inc.**

**America's Law Group**

**The Financial Group, Inc. dba Tax Relief ASAP**

**Federal Trade Commission v. Data Medical Capital, Inc, et al.**

**CASE No. SA-CV-99-1266 AHS (EEx)**

**Protective Order Regarding  
Receivership Defendants' Documents and Electronic Records**

**Filed July 7, 2009**

NOTE: CHANGES MADE BY  
THE COURT

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**Federal Trade Commission,**

Plaintiff,

v.

**Data Medical Capital, Inc., et al.,**

Defendants.

SA-CV-99-1266 AHS (EEx)

**PROTECTIVE ORDER  
REGARDING RECEIVERSHIP  
DEFENDANTS' DOCUMENTS  
AND ELECTRONIC RECORDS**

The Court having read and considered the Ex Parte Motion for Instructions Regarding Production of Documents of the Receivership Defendants to Plaintiff and Contempt Defendants (the "Motion") filed by Receiver Robb Evans & Associates LLC ("Receiver"), the response of FTC and opposition to the Motion by Americas Law Group, Rodis Law Group, and defendant Bryan D'Antonio, and having granted the Motion in a separate Order Granting Ex Parte Motion for Instructions Regarding Production of Documents of the Receivership Defendants to Plaintiff and Contempt Defendants ("Records

1 Order”) executed by the Court concurrently herewith, and good cause being  
2 shown therefor, it is

3 ORDERED as follows:

4 1. This Protective Order governs the use and dissemination by Plaintiff  
5 and Contempt Defendants, as that term is defined in the Preliminary Injunction  
6 Order entered June 26, 2009 (“Preliminary Injunction Order”) (collectively,  
7 Plaintiff and the Contempt Defendants are the “Parties”), of certain documents  
8 made available for inspection, inventorying, and/or copying pursuant to the  
9 Records Order.

10 2. All client files of any of the Receivership Defendants, as that term is  
11 defined in the Preliminary Injunction Order, and all other documents and  
12 electronic records which disclose the name of any client of any of the  
13 Receivership Defendants and/or any personal data identifiers, as defined in  
14 Local Rule 79-5.4, of any client made available for inspection, inventorying,  
15 and/or copying by the Receiver pursuant to the Records Order shall be subject  
16 to this Protective Order (“Confidential Records”).

17 3. The Confidential Records shall not be disclosed by the Parties or  
18 made available by the Parties to any other person or entity, except to the  
19 following:

20 (a) Attorneys of record in the above-captioned matter (the “FTC  
21 Action”) and their legal staff who have a need for access to the Confidential  
22 Records;

23 (b) Any expert or consultant retained by an attorney of record in  
24 the FTC Action for the purpose of consulting or testifying in the FTC Action,  
25 who has a need for access to the Confidential Records;  
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1 (c) Persons whom attorneys of record in the FTC Action depose,  
2 in connection with their preparation to testify or during their depositions;

3 (d) Persons whom attorneys of record in the FTC Action expect  
4 to call as a witness in the FTC Action, in connection with their preparation to  
5 testify;

6 (e) The Court, staff, and personnel;

7 (f) Attorneys representing any of the Contempt Defendants in  
8 connection with any pending or threatened criminal proceeding or investigation  
9 or State Bar proceedings related to the allegations set forth in the FTC Action  
10 which gave rise to the Preliminary Injunction Order and their legal staff who  
11 have a need for access to the Confidential Records;

12 (g) Law enforcement personnel, attorneys for law enforcement  
13 personnel and State Bar personnel who are provided the Confidential Records  
14 in connection with any pending or threatened criminal investigation or  
15 proceeding or State Bar proceedings related to the allegations set forth in the  
16 FTC Action which gave rise to the Preliminary Injunction Order; and

17 (h) Any other person who is designated by stipulation of the  
18 Parties and the Receiver or by order of the Court.

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20 The Parties and persons set out at paragraph 3 (a) through (h) are  
21 collectively referred to as the "Recipients."

22 4. Recipients shall be subject to the following restrictions:

23 (a) Recipients shall not disclose, reveal, or transmit the  
24 Confidential Records in whole or in part to any other individual or entity, now  
25 or in the future, except as otherwise provided herein;

1 (b) Recipients shall take all steps necessary and appropriate to  
2 keep the Confidential Records in full and complete confidence, including  
3 storing and maintaining any Confidential Records in a manner that will prevent  
4 access to that information by unauthorized persons; and

5 (c) Recipients shall not copy, duplicate, transfer or reproduce, in  
6 whole or in part, the Confidential Records, except as necessary for purposes  
7 consistent with this Protective Order.

8 5. Recipients other than Parties shall be advised of this Protective Order  
9 and given a copy concurrently with their receipt of Confidential Records by the  
10 Parties providing the Confidential Records.

11 6. Recipients shall use the Confidential Records solely in connection  
12 with the FTC Action or as otherwise expressly provided in this Protective Order  
13 and shall not use or reproduce any Confidential Records or any information  
14 derived therefrom for any other purpose.

15 7. In the event any Confidential Records are used in the FTC Action, or  
16 in any other action or proceeding it shall not lose its protected status under this  
17 Order through such use. Parties submitting filings in the FTC Action or in any  
18 other action or proceeding that makes use of Confidential Records shall file  
19 such Confidential Records under seal.

20 8. All Confidential Records shall be returned to the Receiver within 30  
21 days of a final resolution of the FTC Action or any other action or proceeding  
22 for which the Confidential Records were made available, as applicable. In the  
23 alternative, the Recipient shall certify that it has destroyed all Confidential  
24 Records within its possession or control.  
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