JUDICIAL PRACTICES AND PROCEDURES

U.S. BANKRUPTCY JUDGE JAMES J. TANCREDI

GENERAL MATTERS

1. *Correspondence with the Court*

Judge Tancredi discourages unsolicited or *ex parte* correspondence from counsel or parties to matters before the Court. The Court will, however, occasionally invite and/or direct counsel to report on the status of matters through letters or correspondence to his Courtroom Deputy. Judge Tancredi equally discourages matters raised through correspondence that should be more properly raised by motion practice or supplemental briefs. All communications which relate to the Court's calendar must be directed to the Courtroom Deputy, [Lisa Watson], telephone number [(860) 221-7762]; e-mail address: [Lisa_Watson@ctb.uscourts.gov]. Communications concerning bar association functions, CLE or similar matters should likewise initially be directed to the Courtroom Deputy.

2. *Communications with Law Clerks*

The Court permits counsel to speak directly with law clerks only upon urgent or emergency matters or on matters related to the CBA Rules Committee, CLE or bar association functions. Law clerks are not permitted to give legal advice or discuss the merits or status of pending matters and should not be a conduit for potential *ex parte* communications. Scheduling matters should be taken up with the Judge's Courtroom Deputy or at a status conference.

3. *Telephonic Procedures*

Counsel are generally expected to appear in person at scheduled trials, hearings and conferences. Counsel and *pro se* parties are not permitted to participate telephonically for hearings of an evidentiary nature, including the examination of witnesses or the submission of evidence. Absent compelling cause, parties seeking permission to participate telephonically must email the Judge's Courtroom Deputy at least two (2) business days prior to the hearing, and should be prepared to provide the following information: Name of party that the attorney is representing, the motion on which the attorney intends to argue, and the reason that a telephonic appearance is necessary. Parties participating by telephone MUST use a "land line" telephone; use of cell phones is generally not permitted.

A. Telephonic Status Conferences

The Court welcomes the use of telephonic status conferences, provided that all pertinent parties are available to participate. The Judge's Courtroom Deputy generally handles the scheduling and initiation of telephonic conferences.

4. Chambers Copies of Filed Papers

Except when requested, the Court generally discourages counsel from submitting "Judge's Copies" or "Chambers Copies" of pleadings. However, counsel are encouraged to submit courtesy copies of complex orders or memoranda of law to Chambers. Counsel are also generally encouraged to submit courtesy copies of redline documents underscoring changes in substantial documents relating to cash collateral, DIP loans, sale transactions, complex settlements, disclosure statements and Chapter 9, 11 or 12 plans.

LITIGATION GENERALLY

1. Continuances

Except where local rule provides otherwise, counsel are urged to timely file a written request for continuance, after conferring in good faith with opposing counsel, based upon good and sufficient cause (i.e., settlement, illness, court conflicts). Requests for continuances should delineate such efforts and any consent, agreement or objection secured in response to the request.

2. Proposed Findings of Fact and Conclusions of Law

The Court usually requires proposed findings of fact and conclusions of law in substantial Contested Matters or Adversary Proceedings, unless otherwise ordered at the conclusion of those proceedings. Memoranda of law from the parties are expected, and the Judge may, depending upon the circumstances, refrain from deciding matters from the bench if parties seek a reasonable opportunity to brief certain remaining issues after the record is closed.

3. *Reading of Material Into the Record*

The Court typically discourages the reading of substantial material into the record, particularly where it may be more properly the substance of legal briefs, judicial notice, live testimony, or stipulation.

4. *Settlements and ADR*

The Court actively encourages settlement discussions and the use of Alternate Dispute Resolution (ADR) resources. The Court will participate in telephonic conferences or Chambers conferences on settlement matters ONLY if all parties in interest agree. The Court will participate in such conferences to the extent that the Court's role as fact finder will not be jeopardized if such discussions are unsuccessful. Requests for settlement conferences should be directed to the Judge's Courtroom Deputy, or raised in a joint motion of the parties.

EMERGENCY OR EX PARTE MATTERS

Any emergency or *ex parte* motion shall specifically delineate the cause for such relief and advance, where appropriate, a request for temporary or interim relief until affected parties might have an opportunity to respond, appear and be heard.

CONTESTED MATTER PRACTICE AND PROCEDURE

Unless otherwise ordered or provided by applicable statute or rule, the Contested Matter Procedure shall govern all Contested Matters as defined by Federal Rule of Bankruptcy Procedure 9014.

A certification that service has been made upon all parties entitled thereto by applicable rule or court order shall be filed with all documents referred to in this procedure.

COUNSEL TO CHECK IN IF (S)HE WILL BE LATE

If counsel will be late or cannot appear on time, he/she should contact Chambers or the Courtroom Deputy, in a timely fashion, before the Court is in session to request that a case be held for a later call. This procedure is NOT intended as a substitute for seasonable continuance requests, but is meant to address delays beyond counsel's control and other unanticipated exigencies.

FORM AND CONTENT OF BRIEFS

Unless otherwise ordered, briefs and motions in excess of twenty-five (25) pages with embedded argument and citations MUST be submitted in text searchable format and should include a table of contents, headings, and a table of authorities. Except as permitted by the Court, moving and responsive briefs shall be no more than twenty-five (25) pages in length, exclusive of the table of contents and table of authorities. Reply briefs shall be no more than ten (10) pages, exclusive of the table of contents and table of authorities. Any request to file sur-reply briefs, particularly in light of an opportunity for oral argument, will require good cause. The Court may disregard sur-reply briefs unaccompanied by a motion for permission to file such a brief.

MOTIONS FOR RELIEF FROM STAY

[RESERVED]

MOTIONS TO CONTINUE STAY IN EFFECT OR IMPOSE STAY

Motions to continue the automatic stay in effect pursuant to 11 U.S.C. § 362(c)(3) or to impose the automatic stay under § 362(c)(4) should:

- State the case number of previous cases dismissed within one year of the filing of the present case;
- Include copies of Schedules I and J from previous cases dismissed within one year of the filing of the present case, and Schedules I and J from the current case; and
- Append debtor's affidavit stating IN DETAIL the grounds for continuing the stay in effect or imposing the stay.

REDLINE COPIES REQUIRED FOR AMENDED PLANS

In Chapter 9, 11, and 12 proceedings, the filing of an amended plan MUST be accompanied by a redline copy detailing all changes from the immediately-prior filed plan.

ADVERSARY PROCEEDINGS

1. *Discovery Matters*

a. *Length of Discovery Period and Extensions*

After the answer to the complaint is filed, a pretrial order will be entered establishing discovery deadlines, setting a date for submission of a joint pretrial statement and scheduling a pretrial/settlement conference date. A copy of the Court's standard pretrial order is attached.

Extensions of deadlines that do not affect a scheduled trial date, and to which the parties agree, may be made by stipulation, which must be submitted to the Court for approval. Otherwise, a motion will be required. The Court may decide the motion on the papers, schedule a conference call, or set the matter for hearing.

b. *Discovery Conferences and Dispute Resolution*

The Court will entertain scheduled conference calls for the purpose of resolving discovery disputes after the filing of an affidavit that the parties have met and conferred in good faith. Egregious misbehavior at a deposition, or violations of prior orders of the Court during a deposition, provides appropriate grounds to seek an immediate discovery conference subject to the Court's availability. Requests for sanctions shall only be made by written motion.

c. *Confidentiality Agreements and Protective Orders*

1. Confidentiality Agreements

The Court will consider approval of confidentiality agreements within the bounds of Section 107 of the Bankruptcy Code and other applicable laws and procedures.

2. Protective Orders

In the event that one or more party(ies) in interest assert(s) that certain case discovery warrants confidentiality or attorney-eyes-only designation, the Court may, for cause shown, adopt the procedures set forth in the District Court's Standing Protective Order. A copy of the District Court's Standing Protective Order is attached.

d. Expert Witnesses

The Court requires the advance identification of expert witnesses in all Adversary Proceedings consistent with Federal Rule of Civil Procedure 26 and Federal Rule of Bankruptcy Procedure 7026. The requirements of Federal Rule of Civil Procedure 26 pertaining to disclosures of expert testimony shall not apply in Contested Matters, unless the Court orders otherwise, upon the showing of good cause by the movant(s).

2. Pretrial Conferences

If circumstances warrant, the Court may schedule an initial pretrial conference or status hearing early in the proceeding. Typically, a final pretrial/settlement conference will be scheduled in the pretrial order. The Court will entertain requests for other pretrial conferences by telephone request directed to the Courtroom Deputy. Usually, such oral requests will be granted only if all parties agree. Otherwise, a written request should be filed by the movant(s).

3. Filing of Memoranda and Briefs

a. Pretrial

Each party may file a trial memorandum with the Clerk of Court provided it is served on opposing counsel, as the Court directs or applicable rules provide.

b. *Post Trial*

Post-trial memoranda are necessary only when specifically requested by the Court; however, the Court will ordinarily approve requests from the parties to submit non-duplicative post-trial briefing in order to facilitate judicial efficiency and to conform legal arguments to the record.

4. *Mediation*

In all Contested Matters and Adversary Proceedings, the Court urges the parties to consider participation in an appropriate mediation program. Unless the selected mediation program has its own protocols for the designation of a neutral mediator, and if the parties do not identify a proposed mediator in their communication to the Court indicating their willingness to mediate, the Court may appoint an appropriate mediator from among a range of experienced bankruptcy, litigation, or financial practitioners.

Unless the parties qualify for the Hartford *Pro Bono* Mediation Program, the parties must make appropriate arrangements for the compensation of the mediator and any related expenses. In all material respects, the protocols for a mediation (i.e., confidentiality, presentation, authority) should conform to the principles of the *Pro Bono* Mediation Program. *See* Hartford Chambers Order No. 1. Any stay of proceedings pending mediation shall enter by order of the Court, upon motion of the parties and upon such terms as the Court and the parties deem appropriate.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

In re	:	**Chapter**
Debtor(s)	:	**CASE No.**
Plaintiff(s)	:	**ADV. No.**
v.	:	
Defendant(s)	:	

.....

ADVERSARY PROCEEDING
PRETRIAL ORDER

.....

AND NOW, it is hereby **ORDERED** that:

1. If not already filed, any party that is subject to Fed. R. Bankr. P. 7007.1 shall file the required disclosure on or before **(7 days**).
2. On or before **(21 days)**, the parties shall file a joint statement whether they consent to participate in the Court-annexed or an independent mediation program and transmit a copy of the joint statement to chambers. The joint statement should include up to three suggested mediators from the list of experienced mediators when the matter qualifies for the Court-annexed mediation. If the joint statement requests mediation but contains no suggested mediator(s), then the Court may select one suitable for the matter.
3. On or before **(21 days)**, counsel shall have held and concluded the mandatory discovery conference pursuant to Fed. R. Civ. P. 26(f), incorporated into these proceedings by Fed. R.

Bankr. P. 7026. During said conference, the parties shall discuss how to proceed with general discovery and electronic discovery and shall consider whether the discovery and pretrial schedule detailed below in this order is appropriate in this proceeding.

4. On or before **(35 days)**, after the conclusion of the parties' discovery conference, should the parties propose a discovery or pretrial schedule that differs from the one below, they shall file with the Court a report on discovery, as mandated by Fed. R. Civ. P. 26(f). The parties shall detail those differences in their Rule 26(f) Report, along with the reasons therefor. The Court may, when appropriate, order a hearing based on the information found in the Rule 26(f) Report. If the parties are in agreement with the discovery schedule outlined herein, no report need be filed unless there are objections to the initial discovery disclosures.

5. On or before **(35 days)**, after the conclusion of the Rule 26(f) conference, the parties shall provide the initial disclosures detailed in Fed. R. Civ. P. 26(a)(1). Any objections to the propriety of requiring the initial discovery disclosures required by Fed. R. Civ. P. 26(a)(1), see Fed. R. Civ. P. 26(a)(1) (subparagraph following subparagraph (E)), shall be set forth in the parties' Rule 26(f) Report.

6. The following discovery and trial schedule shall be considered by the parties in their deliberations at their discovery conference:

    a. All expert witnesses shall be identified and a copy of each expert's report shall be provided to every other party, in accordance with Fed. R. Civ. P. 26(a)(2) **on or before (70 days)**.

    b. All discovery shall be completed **on or before (91 days)**.

c. All motions to amend the pleadings, or for summary judgment, shall be filed on or before **(118 days)**. If such a motion or motions is/are filed, the parties are **not relieved** of their obligation to comply with the terms of the balance of this Pretrial Order.

d. All discovery disclosures pursuant to Fed. R. Civ. P. 26(a)(3) shall be served on opposing parties and filed with the Court **on or before (132 days)**.

e. Any objections to Rule 26(a)(3) disclosures shall be served on opposing counsel and filed with the Court **on or before (139 days)**.

f. **On or before (153 days)**, the parties shall file a joint pretrial statement. The joint pretrial statement shall be signed by all counsel. ***It is the obligation of the Plaintiff's counsel to initiate the procedures for its preparation and to assemble and submit the proposed pretrial statement to the Court.*** Plaintiff's counsel shall submit a proposed joint pretrial statement to Defendant's counsel not less than seven days prior to the deadline for its submission. Counsel are expected to make a diligent effort to prepare a proposed pretrial statement that will summarize all of the material issues on which the parties are in agreement and all of those issues on which they disagree. The proposed pretrial statement shall govern the conduct of the trial and shall supersede all prior pleadings in the case. Amendments will be allowed only in exceptional circumstances and to prevent manifest injustice.

7. The joint pretrial statement shall be in the following form:

A. Basis of jurisdiction. (including a statement whether this matter is core or noncore). If the matter is noncore, the parties shall state whether they consent to the Court's entry of a final orders pursuant to 28 U.S.C. § 157(c)(2). If the matter is core, the parties shall state whether they consent to the Court's entry of final orders or judgment. If the parties disagree, they shall each cite to relevant authority to support their positions.

B. Statement of uncontested facts. Uncontested facts shall be set forth in plain, concise and chronological fashion.

C. Statement of facts which are in dispute. No facts should be disputed unless opposing counsel expects to present contrary evidence on the point at trial, or genuinely challenges the fact on credibility or admissibility grounds.

D. Damages or other relief. A statement of damages claimed or relief sought. A party seeking damages shall list each item claimed under a separate descriptive heading, shall provide a detailed description of each item, and state the amount of damages claimed. A party seeking relief other than damages shall list the exact form of relief sought with precise designations of persons, parties, places, and things expected to be included in any order providing relief.

E. Legal Issues: The constitutional, statutory, regulatory, and decisional authorities relied upon shall be set forth in plain, concise, and chronological fashion. (Counsel should include a brief statement regarding which party has the burden of proof on each legal issue).

F. Witnesses: The Witness List should include a brief statement of the evidence the witness will give. Witnesses shall be classified between those whom any party expects to present and those whom any party may call if the need arises. If not already provided to all parties, the address and telephone number of each witness shall be disclosed.

G. Exhibits: The Exhibits to be offered into evidence shall be serially numbered and physically marked before trial in accordance with the schedule. Documents which a party MAY offer if the need arises shall be separately identified.

H. Motion(s) *In Limine*: The parties shall identify any Motions *In Limine* that they believe need to be resolved prior to trial. The nature of the issue shall be described in sufficient detail to facilitate a discussion of the issue(s) at the final pretrial/settlement conference and to permit the Court to issue an appropriate scheduling order, if necessary, for the filing and resolution of such Motion(s).

I. Discovery Submissions: The parties shall provide a list of each discovery item and trial deposition to be offered into evidence. (Counsel shall designate by page the portion of deposition testimony and by number the interrogatories that shall be offered in evidence at trial).

J. Estimated Trial Duration: The parties shall each provide their best estimate of the time required to try each respective portion of the case.

K. Settlement: The parties shall include a certification that they have attempted good faith settlement discussions without success.

L. Special Considerations: The parties shall identify any special considerations which may impact the efficient administration of the case (i.e., witness availability, electronic presentations, disabilities or hardships).

8. A mandatory final pretrial/settlement conference shall be held on **(Date) at (time) in the United States Bankruptcy Court at the Abraham Ribicoff Federal Building, 450 Main Street, 7th Floor, Hartford, CT 06103.**

9. If the adversary proceeding is not resolved prior to the conclusion of the final pretrial/settlement conference, the adversary proceeding shall be scheduled for trial at the Court's first available date.

10. Each party may file, no later than seven (7) days prior to the date of trial, a trial memorandum with service on the opposing party(ies) and a courtesy copy delivered to Chambers.

11. All trial exhibits shall be pre-marked and exchanged by counsel at least three (3) business days prior to the date of trial.

12. **The trial may be continued only in exceptional circumstances on Motion and leave of Court.**

Dated at Hartford, Connecticut this ____ day of _____, 20___.

James J. Tancredi
United States Bankruptcy Judge
District of Connecticut

STANDING PROTECTIVE ORDER

1. It is hereby ordered by the Court that the following shall apply to information, documents, excerpts from documents, and other materials produced in this action pursuant to Federal and Local Rules of Civil Procedure governing disclosure and discovery.

2. Information, documents and other materials may be designated by the producing party in the manner permitted ("the Designating Person"). All such information, documents, excerpts from documents, and other materials will constitute "Designated Material" under this Order. The designation shall be either (a) "CONFIDENTIAL" or (b) CONFIDENTIAL-ATTORNEYS' EYES ONLY." This Order shall apply to Designated Material produced by any party or third-party in this action.

3. "CONFIDENTIAL" information means information, documents, or things that have not been made public by the disclosing party and that the disclosing party reasonably and in good faith believes contains or comprises (a) trade secrets, (b) proprietary business information, or (c) information implicating an individual's legitimate expectation of privacy.

4. "CONFIDENTIAL-ATTORNEY'S EYES ONLY" means CONFIDENTIAL information that the disclosing party reasonably and in good faith believes is so highly sensitive that its disclosure to a competitor could result in significant competitive or commercial disadvantage to the designating party.

5. Designated Material shall not be used or disclosed for any purpose other than the litigation of this action and may be disclosed only as follows:

a. *Parties:* Material designated "CONFIDENTIAL" may be disclosed to parties to this action or directors, officers, and employees of parties to this action, who have a legitimate need to see the information in connection with their responsibilities for overseeing the litigation or assisting counsel in preparing the action for trial or settlement. Before Designated Material is disclosed for this purpose, each such person must agree to be bound by this Order by signing a document substantially in the form of Exhibit A.

b. *Witnesses or Prospective Witnesses:* Designated Material, including material designated "CONFIDENTIAL-ATTORNEYS' EYES ONLY," may be disclosed to a witness or prospective witness in this action, but only for purposes of testimony or preparation of testimony in this case, whether at trial, hearing, or deposition, but it may not be retained by the witness or prospective witness. Before Designated Material is disclosed for this purpose, each such person must agree to be bound by this Order, by signing a document substantially in the form of Exhibit A.

c. *Outside Experts:* Designated Material, including material designated "CONFIDENTIAL-ATTORNEYS' EYES ONLY," may be disclosed to an outside expert for the purpose of obtaining the expert's assistance in the litigation. Before Designated Material is disclosed for this purpose, each such person must agree to be bound by this Order, by signing a document substantially in the form of Exhibit A.

d. *Counsel:* Designated Material, including material designated "CONFIDENTIAL-ATTORNEYS' EYES ONLY," may be disclosed to counsel of record and in-house counsel for parties to this action and their associates, paralegals, and regularly employed office staff.

e. *Other Persons:* Designated Material may be provided as necessary to copying services, translators, and litigation support firms. Before Designated Material is disclosed to such third parties, each such person must agree to be bound by this Order by signing a document substantially in the form of Exhibit A.

6. Prior to disclosing or displaying any Designated Material to any person, counsel shall:

a. Inform the person of the confidential nature of the Designated Material; and

b. Inform the person that this Court has enjoined the use of the Designated Material by him/her for any purpose other than this litigation and has enjoined the disclosure of that information or documents to any other person.

7. The confidential information may be displayed to and discussed with the persons identified in Paragraphs 5(b) and (c) only on the condition that, prior to any such display or discussion, each such person shall be asked to sign an agreement to be bound by this Order in the form attached hereto as Exhibit A. In the event such person refuses to sign an agreement in substantially the form attached as Exhibit A, the party desiring to disclose the confidential information may seek appropriate relief from the Court.

8. A person having custody of Designated Material shall maintain it in a manner that limits access to the Designated Material to persons permitted such access under this Order.

9. Counsel shall maintain a collection of all signed documents by which persons have agreed to be bound by this Order.

10. Documents shall be designated by stamping or otherwise marking the documents with the words "CONFIDENTIAL" or "CONFIDENTIAL-FOR ATTORNEYS' EYES ONLY" thus clearly identifying the category of Designated

Material for which protection is sought under the terms of this Order. Designated Material not reduced to documentary form shall be designated by the producing party in a reasonably equivalent way.

11. The parties will use reasonable care to avoid designating as confidential documents or information that does not need to be designated as such.

12. A party may submit a request in writing to the party who produced Designated Material that the designation be modified or withdrawn. If the Designating Person does not agree to the redesignation within fifteen business days, the objecting party may apply to the Court for relief. Upon any such application, the burden shall be on the Designating Person to show why the designation is proper. Before serving a written challenge, the objecting party must attempt in good faith to meet and confer with the Designating Person in an effort to resolve the matter. The Court may award sanctions if it finds that a party's position was taken without substantial justification.

13. Deposition transcripts or portions thereof may be designated either (a) when the testimony is recorded, or (b) by written notice to all counsel of record, given within ten business days after the Designating Person's receipt of the transcript in which case all counsel receiving such notice shall be responsible for marking the copies of the designated transcript or portion thereof in their possession or control as directed by the Designating Person. Pending expiration of the ten business days, the deposition transcript shall be treated as designated. When testimony is designated at a deposition, the Designating Person may exclude from the deposition all persons other than those to whom the Designated Material may be disclosed under paragraph 5 of this Order. Any party may mark Designated Material as a deposition exhibit, provided the deposition witness is one to whom the exhibit may be disclosed under paragraph five of this Order and the exhibit and related transcript pages receive the same confidentiality designation as the original Designated Material.

14. Any Designated Material which becomes part of an official judicial proceeding or which is filed with the Court is public. Such Designated Material will be sealed by the Court only upon motion and in accordance with applicable law, including Rule 5(e) of the Local Rules of this Court. This Protective Order does not provide for the automatic sealing of such Designated Material. If it becomes necessary to file Designated Material with the Court, a party must comply with Local Civil Rule 5 by moving to file the Designated Material under seal.

15. Filing pleadings or other papers disclosing or containing Designated Material does not waive the designated status of the material. The Court will determine how Designated Material will be treated during trial and other proceedings as it deems appropriate.

16. Upon final termination of this action, all Designated Material and copies thereof shall be returned promptly (and in no event later than forty-five (45) days after entry of final judgment), returned to the producing party, or certified as destroyed to counsel of record for the party that produced the Designated Material, or, in the case of deposition testimony regarding designated exhibits, counsel of record for the Designating Person. Alternatively, the receiving party shall provide to the Designating Person a certification that all such materials have been destroyed.

17. Inadvertent production of confidential material prior to its designation as such in accordance with this Order shall not be deemed a waiver of a claim of confidentiality. Any such error shall be corrected within a reasonable time.

18. Nothing in this Order shall require disclosure of information protected by the attorney-client privilege, or other privilege or immunity, and the inadvertent production of such information shall not operate as a waiver. If a Designating Party becomes aware that it has inadvertently produced information protected by the attorney-client privilege, or other privilege or immunity, the Designating Party will promptly notify each receiving party in writing of the inadvertent production. When a party receives notice of such inadvertent production, it shall return all copies of inadvertently produced material within three business days. Any notes or summaries referring or relating to any such inadvertently produced material subject to claim of privilege or immunity shall be destroyed forthwith. Nothing herein shall prevent the receiving party from challenging the propriety of the attorney-client privilege or work product immunity or other applicable privilege designation by submitting a challenge to the Court. The Designating Party bears the burden of establishing the privileged nature of any inadvertently produced information or material. Each receiving party shall refrain from distributing or otherwise using the inadvertently disclosed information or material for any purpose until any issue of privilege is resolved by agreement of the parties or by the Court. Notwithstanding the foregoing, a receiving party may use the inadvertently produced information or materials to respond to a motion by the Designating Party seeking return or destruction of such information or materials. If a receiving party becomes aware that it is in receipt of information or materials which it knows or reasonably should know is privileged, Counsel for the receiving party shall immediately take steps to (i) stop reading such information or materials, (ii) notify Counsel for the Designating Party of such information or materials, (iii) collect all copies of such information or materials, (iv) return such information or materials to the Designating Party, and (v) otherwise comport themselves with the applicable provisions of the Rules of Professional Conduct.

19. The foregoing is entirely without prejudice to the right of any party to apply to the Court for any further Protective Order relating to Designated Material; or to object to the production of Designated Material; or to apply to the Court for an order compelling production of Designated Material; or for modification of this Order; or to seek any other relief from the Court.

20. The restrictions imposed by this Order may be modified or terminated only by further order of the Court.

IT IS SO ORDERED,

_____

United States District Judge

EXHIBIT A

I have been informed by counsel that certain documents or information to be disclosed to me in connection with the matter entitled _____ _____have been designated as confidential. I have been informed that any such documents or information labeled "CONFIDENTIAL PRODUCED PURSUANT TO PROTECTIVE ORDER" are confidential by Order of the Court.

I hereby agree that I will not disclose any information contained in such documents to any other person. I further agree not to use any such information for any purpose other than this litigation.

_____DATED:_____

Signed in the presence of:

_____(Attorney)