

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

TANYA L. HASBROUCK

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:08CV697-LTS-RHW

NATIONWIDE PROPERTY AND CASUALTY
INSURANCE COMPANY et al

DEFENDANTS

PROTECTIVE ORDER

Before the Court is State Farm Fire and Casualty Company's [90] Motion for Protective Order. In its motion, State Farm requests that the Court enter an order prohibiting the disclosure of the Absolute Release with Covenants entered into between State Farm and Della D. and Edward C. Lanier. The Laniers have joined in support of this motion. The Laniers settled their lawsuit with State Farm in Civil Action No. 1:06cv563. As part of the settlement, the parties executed a document entitled "Absolute Release with Covenants", which contained the terms of the settlement, including the requirement that the settlement be confidential. On May 20, 2009, Defendant Nationwide served the Laniers with a subpoena duces tecum commanding the Laniers to produce all documents related to their insurance claim resulting from Hurricane Katrina. State Farm filed the instant motion in response to the subpoena duces tecum.

In their response, Defendants state that the Laniers were identified by Plaintiffs as witnesses with discoverable knowledge. The subpoena, according to Defendants, seeks only non-privileged, non-confidential documents. As such, Defendants represent that they do not seek confidential documents connected to the Laniers settlement with State Farm, including the Absolute Release and Covenants. Thus, Defendants do not object to a protective order for this

limited purpose.

IT IS THEREFORE ORDERED AND ADJUDGED that State Farm's [90] Motion for Protective Order is GRANTED, and that the disclosure by the Laniers or any other person, firm, corporation, or entity of the Absolute Release with Covenants between the Laniers and State Farm is prohibited.

SO ORDERED, this the 26th day of June, 2009.

s/ Robert H. Walker
UNITED STATES MAGISTRATE JUDGE