

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

_____)	
LASHAWN JONES, <i>et al.</i> ,)	
Plaintiffs, and)	
UNITED STATES OF AMERICA,)	
Plaintiffs in intervention)	
v.)	Civil Action No. 2:12-cv-00859
)	Section 1, Division 1
MARLIN GUSMAN, <i>et al.</i> ,)	Judge Lance M. Africk
Defendants.)	Magistrate Judge Chasz
_____)	
MARLIN GUSMAN,)	
Third-Party Plaintiff)	
v.)	
THE CITY OF NEW ORLEANS,)	
Third-Party Defendant.)	
_____)	

**STIPULATED ORDER REGARDING EXHIBIT ADMISSION AND
EXHIBIT BENCH BOOKS FOR FAIRNESS HEARING**

The Parties have jointly moved this Honorable Court for a Stipulated Order regarding exhibit admission and exhibit bench books for the April, 1, 2013, Fairness Hearing. During a March 11, 2013, status conference, this Court ordered, among other things, that the Plaintiffs should submit revised bench books that modified the volume of exhibits. *See* ECF No. 172.

Pursuant to the joint motion and stipulation of the Parties, and to promote an efficient Fairness Hearing, the Court Orders the following:

1. Regarding the admissibility of Orleans Parish Prison records of regularly conducted activity, the Defendant Sheriff’s counsel will provide a written representation to the Parties confirming which exhibits are authentic, Fed. R. Evid. 803(6) records by Wednesday,

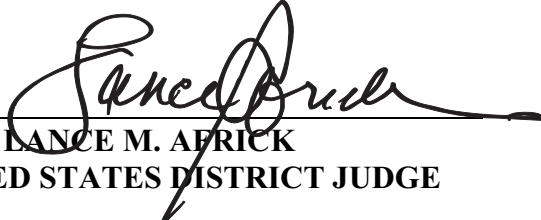
March 20, 2013.¹ For any exhibit so confirmed, the exhibit is stipulated admissible, and any Party may move any such exhibits into evidence without a sponsoring witness during the Fairness Hearing.

2. Regarding the inclusion of exhibits in the revised bench books, the Court approves the Parties' agreement that the revised bench books should include only those exhibits that the Party expects to use as part of a sponsoring witness's examination. The Parties submitted, and the Court accepted, revised bench books in accordance with that agreement on Wednesday, March 13, 2013.

3. Any Party expecting to move exhibits into evidence without a sponsoring witness shall bring four copies of the exhibit to the Fairness Hearing. Upon admission, the Party shall provide copies of the exhibit to the Court for the record.

4. Regarding prisoner medical records, the privacy interests of these prisoners in their medical information outweighs the public's interest in access to these records. If moved into evidence, these medical records will be taken under seal.

ORDERED this 22nd day, of March 2013.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE

¹ Third-Party Defendant City has noted possible issues with Plaintiffs Exhibits 5, 170, 171, 172, and 231, which are purported Orleans Parish Prison records. Pursuant to the Parties' stipulation, if the Parties cannot work out these issues, Third-Party Defendant City retains the right to not stipulate to their admissibility, regardless of their inclusion in the proposed written confirmation by Sheriff's counsel.