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15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 OAKLAND DIVISION

18 VIETNAM VETERANS OF AMERICA, *et al.*,  
 19 Plaintiffs,  
 20 v.  
 21 CENTRAL INTELLIGENCE AGENCY, *et al.*,  
 22 Defendants.  
 23

Case No. CV 09-0037-CW

Noticed Motion Date and Time:  
October 27, 2010  
9:30 a.m.

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS' MOTION FOR  
 PROTECTIVE ORDER LIMITING  
 SCOPE OF DISCOVERY**

24  
 25  
 26 The Court, having considered Defendants' Motion for Protective Order Limiting Scope of  
 27 Discovery and all materials and argument submitted in relation thereto, hereby orders as follows:  
 28

1 IT IS HEREBY ORDERED that Defendants' Motion is GRANTED. The following  
2 categories of information are excluded from discovery:

- 3 1. Animal testing and research;  
4 2. Operational use of chemical and biological agents;  
5 3. Central Intelligence Agency programs and activities that do not reflect on testing on  
6 military service members;  
7 4. Tests that were not conducted on service member volunteers or as part of the test  
8 programs;  
9 5. The identity of individuals and institutions protected by 50 U.S.C. §§ 403-1(i)(1) &  
10 403g;  
11 6. Requests that are not tailored to agents used in the Department of Defense's test  
12 program with volunteers;  
13 7. Requests that encompass a broad swath of irrelevant documents;  
14 8. Requests that seek information from the Department of Justice and do not pertain to  
15 the notification of test participants.  
16 9. Requests that seek a reinvestigation of issues previously examined; and  
17 10. Requests that are being investigated as part of the Battelle investigation.  
18  
19  
20

21 DATED: \_\_\_\_\_, 2010

22 \_\_\_\_\_  
23 The Honorable James Larson  
24 United States Magistrate Judge  
25  
26  
27  
28

**Beaudoin, Kathy E.**

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**From:** ECF-CAND@cand.uscourts.gov

**Sent:** Wednesday, September 15, 2010 8:53 PM

**To:** efiling@cand.uscourts.gov

**Subject:** Activity in Case 4:09-cv-00037-CW Vietnam Veterans of America et al v. Central Intelligence Agency et al Proposed Order

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U.S. District Court  
Northern District of California  
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The following transaction was received from by Herb, Kimberly entered on 9/15/2010 8:53 PM and filed on 9/15/2010

**Case Name:** Vietnam Veterans of America et al v. Central Intelligence Agency et al

**Case Number:** [4:09-cv-00037-CW](#)

**Filer:** United States of America  
Central Intelligence Agency  
United States Department of the Army  
Leon Panetta  
United States Department of Defense  
Robert M. Gates  
Pete Geren  
Eric H. Holder, Jr

**Document Number:** [141](#)

9/16/2010

**Docket Text:**

**Proposed Order re [140] MOTION for Protective Order *Limiting Scope of Discovery* by Central Intelligence Agency, Robert M. Gates, Pete Geren, Eric H. Holder, Jr, Leon Panetta, United States Department of Defense, United States Department of the Army, United States of America. (Herb, Kimberly) (Filed on 9/15/2010)**

**4:09-cv-00037-CW Notice has been electronically mailed to:**

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**4:09-cv-00037-CW Please see [General Order 45 Section IX C.2 and D](#); Notice has NOT been electronically mailed to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

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[STAMP CANDStamp\_ID=977336130 [Date=9/15/2010] [FileNumber=6723319-0]  
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