

EXHIBIT A

CONFIDENTIALITY STIPULATION

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

SEMINOLE TRIBE OF FLORIDA,

Plaintiffs,

CONSOLIDATED CASE

CASE NO.: 4:15-CV-516-RH/CAS

v.

STATE OF FLORIDA,

Defendant.

**STIPULATION REGARDING SEMINOLE TRIBE
PRODUCTION OF DOCUMENTS**

The Parties stipulate as follows:

1. The Seminole Tribe has informed the State of Florida that a number of the documents encompassed by the State's request for production are trade secrets within the meaning of Chapters 688 and 815, Florida Statutes.

2. The Parties have agreed that the State will inspect documents responsive to the State's request for production at a mutually agreed upon location and will identify for the Tribe those documents that it wishes to retain copies of.

3. If the requested documents include documents that the Tribe claims are trade secrets, the Tribe will mark such documents with the label “TRADE SECRET”. Designations as “TRADE SECRET” under this stipulation shall be made with care and shall not be made absent a good faith belief that the designated material satisfies the criteria for trade secrets within the meaning of Chapters 688 and 815, Florida Statutes.

4. The State will maintain confidentiality of documents marked “TRADE SECRET” and will keep such documents in a separate file that can be accessed only by:

- a. the State’s legal counsel Tim Cerio, Ben Gibson, William Spicola, Joe Helton, William Hall, Dennis Whittlesey, Robert Stocker, Patrick Sullivan, Carter Andersen, and Anne-Leigh Moe, and such counsel’s immediate paralegals and staff, and any copying or clerical litigation support services working at the direction of such counsel, paralegals, and staff;
- b. the State’s employees Secretary Ken Lawson, Leon Biegalski, Jonathan Zachem, and Joseph Dillmore;
- c. witnesses in this action;

- d. any outside expert or consultant retained to assist in this action, provided that disclosure is only to the extent necessary to perform such work, and provided that such expert or consultant has agreed to be bound by the provisions of this stipulation;
- e. court reporters, stenographers and videographers retained to record testimony taken in this action;
- f. the Court, jury, and court personnel; and
- g. any mediator who is assigned to hear this matter, and his or her staff, subject to their agreement to maintain confidentiality to the same degree as required by this stipulation.

5. In the event that the State receives a Public Records request for any documents designated “TRADE SECRET”, the State will take the following action:

- a. Immediately notify counsel of record in this action that the request has been made.
- b. Continue to maintain confidentiality of the “TRADE SECRET” documents.

- c. Inform the party making the Public Records request that the Tribe has designated such records as subject to the “TRADE SECRETS” exemption from the Public Records law and that the State cannot release the records except pursuant to an order issued by a court of competent jurisdiction.

However, the State will not be required to take a position in any litigation in which the Tribe attempts to prevent the disclosure of any document produced hereunder, nor will the State bear any expense in any such litigation.

6. In the event that the State receives a Public Records request for any documents designated “TRADE SECRET”, the Tribe will indemnify and hold harmless the State regarding litigation relating to such request.

7. Nothing in this stipulation shall be construed to prejudice any Party’s right to use any documents marked “TRADE SECRET” in court or in any court filing. This stipulation is without prejudice to the right of any Party to seek further or additional protection of any document from the Court or to move the Court to modify this stipulation in any way.

8. Nothing in this stipulation shall be construed to prevent any counsel from advising their clients with respect to this case based in whole or in part upon documents marked “TRADE SECRET”, provided counsel does not disclose the “TRADE SECRET” itself except as provided in this stipulation.

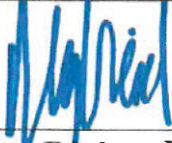
9. Nothing in this Order shall restrict in any way the use or disclosure of a document marked “TRADE SECRET”: (i) that is or has become publicly known through no fault of the receiving party; (ii) that is lawfully acquired by or known to the receiving party independent of the producing party; (iii) previously produced, disclosed and/or provided by the producing party to the receiving party or a non-party without an obligation of confidentiality and not by inadvertence or mistake; or (iv) pursuant to order of the Court.

10. This stipulation is subject to further court order based upon public policy or other considerations, and the Court may modify this stipulation *sua sponte* in the interests of justice. The United States District Court for the Northern District of Florida, or any other Federal Court of competent jurisdiction during the pendency of this litigation, is responsible for the interpretation and enforcement of this stipulation. All disputes

concerning documents marked “TRADE SECRET”, however designated, produced under the protection of this stipulation shall be resolved by the United States District Court for the Northern District of Florida or other Federal Court of competent jurisdiction during the pendency of this litigation.

11. Nothing herein shall alter or change in any way the discovery provisions of the Federal Rules of Civil Procedure, the Local Rules for the United States District Court for the Northern District of Florida, or the Court’s own orders. Identification of any individual pursuant to this stipulation does not make that individual available for deposition or any other form of discovery outside of the restrictions and procedures of the Federal Rules of Civil Procedure, the Local Rules for the United States District Court for the Northern District of Florida, or the Court’s own orders.

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CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2016, a true and correct copy of the foregoing was filed via the CM/ECF system and served via electronic mail to all counsel of record.

/s Barry Richard
BARRY RICHARD