

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

<b>SHAWNTA DESHIELDS, ET AL.</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL NO. L-02-3694</b>
	:	
<b>KENNEDY KRIEGER INSTITUTE, INC.</b>	:	

**ORDER**

Pending is a Motion for a Protective Order filed by Kennedy Krieger Institute, Inc. (“Kennedy Krieger”). Having reviewed the papers, the Court concludes that no hearing is necessary. See Local Rule 105.6 (D. Md. 2001).

Plaintiffs and their families contend that they were unreasonably exposed to lead paint during a study conducted by Kennedy Krieger. At one time, there were several cases involving the same study pending before the undersigned. On May 29, 2003, the Court held a discovery conference in this case. The Court directed the parties to create a document repository, which would make document production more efficient if more than one case proceeded to discovery. The Court also directed Kennedy Krieger to produce all non-privileged documents related to the merits of the case.<sup>1</sup>

Of the several cases, only the instant action remains open (#L-02-3694). Following the conference, Kennedy Krieger produced a set of documents pursuant to the Court’s instructions. After producing the documents, Kennedy Krieger tendered to Plaintiffs’ counsel a confidentiality agreement

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<sup>1</sup> This did not preclude formal document requests under Federal Rule of Civil Procedure 34. Instead, the Court’s instruction was merely to keep discovery progressing smoothly by requiring production of the core set of relevant documents.

in the form approved by this Court in Local Rule 104.13. Plaintiffs declined to sign the agreement, prompting Kennedy Krieger to file a motion for a protective order.

The crux of the dispute concerns whether Plaintiffs must use the documents solely for the purpose of litigating this case. Plaintiffs apparently contend that they are entitled to distribute the documents more widely. In support of their right to distribute the documents to others, Plaintiffs point to the Court's instructions regarding the document repository. Creation of a depository, they reason, implies broad distribution of the documents.

This argument fails. The discovery rules entitle parties to relevant documents only for one purpose: pressing or defending a case. The repository was intended to facilitate document production and not to encourage dissemination of the documents outside the circle of those involved in the litigation

Accordingly, the Court rules as follows:

- (i) Defendant's motion is GRANTED [Docket No. 30]. On or before April 2, 2004, Plaintiffs shall either (a) return the documents and all copies or (b) sign the proposed confidentiality agreement;
- (ii) a status report advising the Court of Plaintiffs' progress in reviewing the relevant documents is long overdue (August 29, 2003). Accordingly, on or before April 2, 2004, Plaintiffs shall submit their status report;
- (iii) on or before April 6, 2004, the parties shall meet face-to-face to fashion a proposed discovery plan; and
- (iv) on or before April 9th, the parties shall jointly submit their plan.

It is so ORDERED this 29th day of March, 2004.

\_\_\_\_\_/s/\_\_\_\_\_  
Benson Everett Legg  
Chief Judge