STATE OF MINNESOTA   DISTRICT COURT

COUNTY OF HENNEPIN   «JUDICIAL_DISTRICT» JUDICIAL DISTRICT

                                                        Case Type: Criminal

State of Minnesota,

                          Plaintiff,   **AMENDED ORDER OF
                                            PROTECTION FOR NOT PUBLIC
                                            DATA**

            vs.

J. Alexander Kueng,   Court File No.: 27-CR-20-12953

Thomas Kiernan Lane,   Court File No.: 27-CR-20-12951

Tou Thao,   Court File No.: 27-CR-20-12949

                  Defendants.

        IT IS HEREBY ORDERED, that the City of Minneapolis shall produce files from the City

of Minneapolis Office of Police Conduct Review (OPCR) Cases listed below (Data) to Defendants

and to counsel for the State of Minnesota in the above-referenced cases.

OPCR Case Number
15-11409
15-16258
16-10025
16-22845
17-13108
17-15133
17-23070
18-13960
18-18428
19-11139

This Data shall be subject to the following terms and conditions:

1. The Data shall be considered not public data under the terms of this Order, and this

    Order shall govern the examination and use of such documents.

2. The Data and information derived from the Data shall be disclosed to only "Qualified Persons," as defined by paragraph 6 below. The Data shall not be disclosed to any other person unless and until otherwise agreed by the City of Minneapolis or by the Court.

3. It is expressly understood that the attorneys for Defendants and the State may not use the Data for any purpose outside the scope of the issues directly addressed by this criminal action against Defendants.

4. It is expressly understood that attorneys for Defendants and the State may not disseminate this Data to any newspaper or any other media organization or individual.

5. If counsel for the Defendants or the State wish to inquire about the interpretation of this Protective Order, such inquires shall be directed to this Court.

6. "Qualified Persons" are:

    i.   The Court and its staff.

    ii.   Defendants, counsel to the Defendants, and counsel for the State in these three actions;

    iii.   Paralegal, clerical, secretarial or investigative staff employed by such Counsel as well as expert witnesses retained by Counsel in connection with these actions;

    iv.   Witnesses.

Before providing any of the Data or information derived from the Data to any such Qualified Person, Counsel shall provide a copy of this protective order to such person and the person must agree to be bound by the provisions of this protective order.

7.	This Data or information derived from the Data shall not be disclosed by any Qualified Person to any other person or persons, except as provided in subparagraph 6.

8.	If the Data or information derived from that data are to be included in any papers to be filed in the Court, such papers shall be labeled "Confidential," filed under seal, and kept under seal until further order of the Court.

9.	In the event that the Data or information derived from the Data are used in court proceedings, such documents or information shall not lose their not public status through such use unless otherwise determined by the Court.

10.	Nothing herein shall be construed to affect in any way any party's rights to object to the admissibility of any document, testimony, or other evidence at trial.

11.	If the Defendants, Defense Counsel, Counsel for the State, or any Qualified Person receives a subpoena or other court process that arguably calls for the production of the Data or any information derived from the Data, the person receiving such subpoena or other court process shall give the City of Minneapolis at least ten (10) days notice before producing any Data.

12.	Upon termination of the prosecution in these cases, Defendants, Defense Counsel, Counsel for the State, and all Qualified Persons who have obtained access to any of the Data shall return all Data provided under this Protective Order as well as all copies thereof to the City of Minneapolis, subject to further order of the Court.

13.   The designation of any document as not public under this order is for purposes of this

protective order only, and shall not be used for the purpose of interpretation of other

legal or substantive issues raised in the criminal case against Defendants apart from

the application of this order.

BY THE COURT:

_____
Peter A. Cahill
Judge of District Court