## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NATIONAL VETERANS LEGAL SERVICES PROGRAM, et al., Plaintiffs, v. UNITED STATES OF AMERICA, Defendant.

Case No. 16-745 (PLF)

## STIPULATED SUPPLEMENT TO PROTECTIVE ORDER

)

Plaintiffs and Defendant (collectively, the "Parties") in the above-captioned action, and pursuant to paragraph 6 of the Stipulated Protective Order dated April 3, 2017 (ECF No. 41) (the "Protective Order"), seek to expand and modify the provisions of the Protective Order to authorize the disclosure by government counsel to Plaintiffs' counsel of information regarding class members maintained by the Administrative Office of the United States Courts (the "AO") for the provision of notice for the proposed settlement class period, as well as to authorize the disclosure by government counsel to Plaintiffs' counsel of information maintained by the AO as to amounts paid by Class Members for PACER usage during the proposed settlement class period.

Accordingly, the parties stipulate, and request that the Court SO ORDER by signing below, that the Protective Order dated April 3, 2017, is supplemented and modified as follows:

 The definition of "Class Member" in paragraph 1(d) of the Protective Order is modified to conform to the definition set forth in paragraph 3 of the Class Action Settlement Agreement (ECF No. 141-1) as amended by the Stipulation and First Amendment to Class Action Settlement Agreement dated September 29, 2022 (ECF No. 141-2);

- 2. The definition of "Class Member Data" in paragraph 1(e) of the Protective Order is expanded to include, in addition to the categories of information specified in the Protective Order by reference to the Order Approving Plan of Class Notice (ECF No. 44), the amount(s) paid by Class Members for PACER usage to the extent available to the AO. In addition, the period applicable to the term "Class Member Data" as originally defined in the Protective Order and as modified herein is expanded to encompass the period between April 21, 2010 and May 31, 2018, inclusive of the referenced start and end dates.
- 3. The Protective Order and this Stipulation hereby govern the provision and use of the Class Member Data as defined herein, or any portion thereof, as government counsel determines is necessary to effectuate the Class Action Settlement Agreement, as amended, or as may be necessary to comply with any future order of this Court regarding that agreement.
- 4. All other terms of the Protective Order remain in full force and effect.

Respectfully submitted,

MATTHEW M. GRAVES D.C. BAR # 481052 United States Attorney

BRIAN P. HUDAK Chief, Civil Division

By: /s/ JEREMY S. SIMON D.C. BAR #447956 ROBERT A. CAPLEN D.C. Bar #501480 Assistant United States Attorney /s/ William H. Narwold MOTLEY RICE LLC One Corporate Center 20 Church Street, 17th Floor Hartford, CT 06103 860-882-1681 bnarwold@motleyrice.com

Meghan S. B. Oliver MOTLEY RICE LLC 28 Bridgeside Blvd. Mt. Pleasant, SC 29464 601 D. Street, N.W. Washington, D.C. 20530 (202) 252-2528 Jeremy.Simon@usdoj.gov (202) 252-2523 robert.caplen@usdoj.gov

Counsel for the United States

843-216-9492 moliver@motleyrice.com

Elizabeth Smith MOTLEY RICE LLC 401 9th St. NW, Suite 1001 Washington, DC 20004 202-232-5504 esmith@motleyrice.com

Deepak Gupta Jonathan E. Taylor GUPTA WESSLER PLLC 2001 K Street, NW, Suite 850 N Washington, DC 20006 (202) 888-1741 deepak@guptawessler.com jon@guptawessler.com

Counsel for Plaintiffs National Veterans Legal Services Program, National Consumer Law Center, Alliance for Justice, and the Class

It is so ORDERED by the Court this 2<sup>nd</sup> day of February 2023.

PAUL L. FRIEDMAN United States District Judge