The Business Court of Texas,
Third Division

XXXX,	§	
Plaintiff(s),	§	
	§	
v.	§	
	§	Cause No. [_____]
YYYY,	§	
Defendant(s).	§	
	§	

AGREED PROTECTIVE ORDER

Based on the parties' representations, the materials on file in this case, and the nature of the parties' alleged causes of action and defenses, the Court concludes that these terms are fair, just, and proper. Accordingly, it is ORDERED that:

I. Definitions

As used in this Order:

1. **"Attorney's Eyes Only" or "AEO"** means any Confidential Information that a Producing Party in good faith determines is especially sensitive and entitled to highly confidential treatment.

2. **"Confidential Information" or "CI"** means Information that a Producing Party determines in good faith is a trade secret or reveals confidential, proprietary, sensitive, financial, or other Information. CI does not include public domain Information.

3. **"Designating Party"** means the Party who designated the Information at issue as CI or AEO under this Order.

4. **"Expert"** means a person who is retained to assist a Party in handling this Lawsuit. Expert includes those firm owners, employees, or agents who assist the Expert in his or her tasks.

5. **"Information"** means any written or oral communication or reduction of facts or data to written form or oral testimony.

6. **"Lawsuit"** means the proceeding under this cause number and its related proceedings that result from this proceeding such as by severance, consolidation, appeal, or remand.

7. **"Matter"** means all asserted or unasserted causes of action or affirmative defenses that arise from the facts, circumstances, transactions, or occurrences giving rise to this Lawsuit, regardless of whether those causes of action or affirmative defenses are asserted in this Lawsuit or in another forum.

8. **"Party"** means (i) any named party to this lawsuit or (ii) any non-party that provides Information in this Lawsuit pursuant to subpoena or by consent. Party includes

a Party's counsel, officers, directors, employees, agents, representatives, and service providers.

9. "**Party's Attorney**" means any attorney working on this Lawsuit on a Party's behalf and that attorney's employees, agents, and signing contractors who provide assistance in this Lawsuit.

10. **"Produce"** means to provide in written discovery, sworn testimony, affidavit, or declaration.

11. **"Producing Party"** means a Party that Produces Information in this Lawsuit.

12. **"Receiving Party"** means a Party that receives Information in this Lawsuit.

13. "**Signing Party**" means non-litigant that signs the agreement attached as Exhibit "A."

14. **"Subpoena"** means any civil, criminal, or arbitration subpoena; civil demand; administrative inquiry or request; order; or other process.

II. General Provisions

15. **Scope.** This Order applies to Information a Party Produces in this Lawsuit. This Order does not alter any confidentiality obligations a Party may have at law or under another Order or agreement.

16. **Ability to Challenge.** A Party may challenge a Producing Party's CI or AEO designations.

17. **Ability to Object.** A Party may object to the admissibility of any Produced Information.

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