

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

GOVERNMENT OF THE UNITED)
STATES VIRGIN ISLANDS,) Case No. 1:22-cv-10904-JSR
)
Plaintiff,)
)
v.)
)
JPMORGAN CHASE BANK, N.A.,)
)
Defendant.)
)

**STIPULATED AMENDMENT TO PROTECTIVE ORDER REGARDING
“CSI-PROTECTED INFORMATION” BELONGING TO
THE OFFICE OF THE COMPTROLLER OF THE CURRENCY**

WHEREAS, all of the parties to this action (collectively, the “Parties” and each individually, a “Party”) request that this Court issue an amended protective order pursuant to Federal Rule of Civil Procedure 26(c) to protect the confidentiality of confidential supervisory information, including non-public OCC information as defined in 12 C.F.R. § 4.32(b) (“CSI”) in connection with discovery in this action;

WHEREAS, the Parties, through counsel, agree to the following terms;

WHEREAS, this Court issued a protective order on January 10, 2023 (“Protective Order”) governing the pretrial phase of this action;

WHEREAS, certain discovery materials requested by Plaintiff constitute CSI-Protected Information as that term is defined in paragraph 2, subparagraph g of the Protective Order or CSI as defined above; and

WHEREAS, the Office of the Comptroller of the Currency (“OCC”) has agreed, pursuant to 12 C.F.R. §§ 4.35, 4.36, 4.38 and its letter of February 16, 2023, to authorize the Bank to

produce in discovery CSI-Protected Information, provided the Parties agree and stipulate to issuance of an amended protective order;

IT IS HEREBY STIPULATED among the Parties and ORDERED that the Protective Order is AMENDED as follows and that the Parties to this action, their respective officers, agents, servants, employees, attorneys, any other person in active concert or participation with any of the foregoing, and all other persons with actual notice of this Order will adhere to the following terms *in addition to* the terms of the Protective Order, upon pain of contempt:

1. Designations: Any document produced in this action containing CSI-Protected Information belonging to the OCC shall be designated “CONFIDENTIAL” under the Protective Order. The Parties agree that, in connection with this Amended Protective Order and notwithstanding paragraph 9 of the Protective Order, they shall not challenge a designation of information as “CONFIDENTIAL” and shall file under seal, and shall not oppose the filing under seal of, any information designated as “CONFIDENTIAL.”
2. Public Court Proceedings: The Parties shall take steps to avoid disclosing in public court proceedings any information designated as CONFIDENTIAL information of the OCC or any information that the Party knows constitutes CSI-Protected Information of the OCC and shall confer among themselves and with the Court as necessary to put in place procedures to protect the confidentiality of such information.

SO STIPULATED AND AGREED.

/s/ Linda Singer

Linda Singer (*pro hac vice*)
Mimi Liu (*pro hac vice* pending)
David I. Ackerman
Paige Boggs (*pro hac vice*)
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*Attorneys for Plaintiff Government
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Dated: March 2, 2023

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Dated: March 2, 2023

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: March 14, 2023

New York, New York