

John L. Fellows (No. 4212)
Eric Weeks (No. 7340)
Office of Legislative Research and General Counsel
Legislature of the State of Utah
W210 State Capitol Complex
Salt Lake City, Utah 84114

Counsel for the Special Investigative Committee
of the Utah House of Representatives

**IN THE THIRD JUDICIAL DISTRICT COURT, SALT LAKE DEPARTMENT
SALT LAKE COUNTY, STATE OF UTAH**

In re:

Utah House of Representatives
Special Investigative Committee

[PROPOSED] ORDER

Case No. _____

Based on the motion of the Special Investigative Committee under § 36-14-5 to compel obedience to a subpoena subject to protective conditions, and on the memorandum and declarations submitted in support of the motion, it is hereby ORDERED as follows:

1. The Court has authority to issue this Order pursuant to Utah Code § 36-14-5(2)(b)(ii)(A) and consistent with 45 C.F.R. § 164.512(e).
2. The Office of the Utah Attorney General (the "Office") shall comply with the subpoenas issued to it by the Special Committee dated September 25, 2013 and October 31, 2013 (the "Subpoenas"), by providing to the Special Committee the forensic images of electronic media holding the Office's data that have been created by, or that are in the future created by, the Special Committee and the Office pursuant to any subpoena or pursuant to agreement between the parties.

3. The Special Committee may take steps that it deems necessary and appropriate to recover data from such forensic images, but shall not review the substantive content of any such recovered data except in compliance with this Order.
4. During the time that the Committee's forensic experts have possession of the forensic images of the Office's electronic media: such images and the data they contain shall be shared and viewed only by necessary persons among all parties; all parties shall take necessary steps to keep such images and the data they contain private and confidential; no persons shall re-transmit, disseminate, or in any way share such images and the data they contain in any manner beyond what is necessary for the Special Investigative Committee's investigation; and the images and the data they contain shall be used for no other purpose than for the Special Investigative Committee's investigation.
5. If the Special Committee is successful in recovering data from the electronic media, the recovered data will be delivered by the Special Committee to the Office only. At the conclusion of Special Committee's investigation, any forensic images of the Office remaining in the Special Committee's possession shall be immediately returned to the Office.
6. Office personnel will review the recovered data and produce to the Special Committee relevant recovered emails and documents and other records responsive to any subpoena of the Special Committee.
7. Any parties who violate this Court's order shall be subject to penalties imposed by the Court.

DATED this _____ day of _____, 20__.

District Court Judge

Copies to:

John L. Fellows
Eric Weeks
Office of Legislative Research and General Counsel
Legislature of the State of Utah
W210 State Capitol Complex
Salt Lake City, Utah 84114

Brian Tarbet
David Sonnenreich
Bridget Romano
Office of the Utah Attorney General
Heber M. Wells Building, 6th floor
P.O. Box 140811
160 East 300 South
Salt Lake City, Utah 84114