

298

FORZIO, BROMBERG & NEWMAN
 A Professional Corporation
 100 Southgate Parkway
 PO Box 1997
 Morristown, NJ 07962-1997
 (973) 538-4006
 Attorneys for Appleton Papers Inc.
 CAM 5079

FILED
 2002 SEP 3
 7 2 SEP 2002
 1000
 1000
 1000
 1000

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEW JERSEY

NANCY RUTIGLIANO,

 Plaintiff,

 v.

 VALLEY BUSINESS FORMS, APPLETON
 PAPERS INC., THE MEAD CORP.,
 MOORE BUSINESS FORMS, INC., BOISE
 CASCADE CORP., KIMBERLY-CLARKE
 CORP. PAPER MANUFACTURERS, 3M
 COMPANY, CARBONLESS PRODUCTS,
 CALIBRATED CHARTS CORP.,
 MAXWELL PAPER PRODUCTS, INC.,
 NEKOOSA PAPERS,

 Defendants.

CIVIL ACTION NO. 90-1432 (JCL)

ORDER

FILED

ENTERED

SEP 3 2002

ON THE DOCKET

AT 1000
 WILLIAM T. WALSH
 CLERK

SEP 5 2002

WILLIAM T. WALSH, CLERK

By _____
 (TS) P. 1000

THIS MATTER having come before the Court for a telephonic hearing on August 8, 2002, upon application of [REDACTED] pro se, to vacate the Stipulated Protective Order (hereinafter "Protective Order") entered in this matter on August 28, 1991, and upon application of Porzio, Bromberg & Newman, P.C., attorneys for defendant Appleton Papers Inc. (hereinafter "Appleton"), for an Order modifying the Protective Order entered in this matter, and for other relief relating to that Protective Order; and in the presence of [REDACTED] appearing pro se,

[redacted] appearing pro se, Connie A. Matton and Alvin Weiss counsel for Appleton and Joseph B. Kasper, counsel for Midwest Video Corporation, and it is

ORDERED that the [redacted]'s motion to vacate the Protective Order is hereby DENIED; and it is further

ORDERED that the Protective Order shall be modified in accordance with Appleton's request and shall be modified as set forth below and in the attachments hereto; and it is further

ORDERED that the Protective Order shall be vacated in its entirety for the documents referenced in Exhibit A; and it is further

ORDERED that the Protective Order shall be partially vacated for the documents referenced in Exhibit B; and it is further

ORDERED that the Protective Order shall remain in full force and effect for those documents produced pursuant to the Protective Order and/or designated as confidential or highly confidential pursuant to the Protective Order that are not listed on Exhibits A or B; and it is further

ORDERED that Appleton's application for the return of documents subject to the Protective Order and any summaries or compilations thereof which were deposited with the Court in November 2000 shall be DENIED WITHOUT PREJUDICE and may be renewed at such time when appellate proceedings concerning Judge Lifland's October 6, 2000, Order are completed; and it is further

ORDERED that a true copy of this Order shall be served upon plaintiff Nancy Rutigliano,

[redacted] and [redacted] no later than Ten (10) days from the date hereof.


Stanley R. Chester, U.S.M.J.

Dated: August 26 2002

606611

EXHIBIT A
DOCUMENTS FOR WHICH RUIGLIANO PROTECTIVE ORDER TO BE VACATED

DATE NO.	DESCRIPTION
RUT 0000012	Memo dated November 12, 1981
RUT 0000014	Memo dated October 27, 1982
RUT 0000015- 0000016	Memo dated November 2, 1982
RUT 0000022 0000022	Memo dated December 21, 1982
RUT 0000027- 0000029	Memo dated May 7, 1985
RUT 0000030	Memo dated May 7, 1985
RUT 0000031	Letter dated August 14, 1987
RUT 0000032- 0000033	Letter dated August 18, 1987
RUT 0000034- 0000041	In Vivo and In Vitro Toxicity Tests with Carbonless Paper Systems and System Components dated August 12, 1987
RUT 0000042- 0000053	Appleton Employee Exposure Record Summary dated August 19, 1987
RUT 0000054- 0000055	Appleton Papers Inc. Customer Safety Related Inquiries, Summary, 1976-1986 dated August 21, 1987
RUT 0000056- 0000069	Standard Test Methods for Formaldehyde Vapor Emissions from Paper Products in Sheet Form
RUT 0000085	Letter dated December 20, 1982
RUT 0000086- 0000090	Draft protocol Testing dated December 8, 1982
RUT 0000091	Letter dated April 7, 1983
RUT 0000092- 0000094	Letter dated April 13, 1983
RUT 0000095- 0000101	Draft Protocol dated April 7, 1983
RUT 0000102- 00000104	Letter dated April 28, 1983
RUT 0000103- 0000108	Protocol for Testing of Formaldehyde Emissions from Carbonless Copy Paper
RUT 0000109	Letter dated May 5, 1983
RUT 0000110- 0000119	Laboratory Services Agreements dated May 4, 1983

EXHIBIT A
DOCUMENTS FOR WHICH RUTIGLIANO PROTECTIVE ORDER TO BE VACATED

BATES NO.	DESCRIPTION
RUT 0000012	Memo dated November 12, 1981
RUT 0000014	Memo dated October 25, 1982
RUT 0000015- 0000016	Memo dated November 2, 1982
RUT 0000022- 0000023	Memo dated December 21, 1982
RUT 0000027- 0000029	Memo dated May 7, 1985
RUT 0000030	Memo dated May 7, 1985
RUT 0000031	Letter dated August 14, 1987
RUT 0000032- 0000033	Letter dated August 18, 1987
RUT 0000034- 0000041	In Vivo and In Vitro Toxicity Tests with Carbonless Paper Systems and System Components dated August 12, 1987
RUT 0000042- 0000053	Appleton Employee Exposure Record Summary dated August 19, 1987
RUT 0000054- 0000055	Appleton Papers Inc. Customer Safety Related Inquiries, Summary, 1976-1986 dated August 21, 1987
RUT 0000056- 0000069	Standard Test Methods for Formaldehyde Vapor Emissions from Paper Products in Sheet Form
RUT 0000085	Letter dated December 20, 1982
RUT 0000086- 0000090	Draft protocol Testing dated December 8, 1982
RUT 0000091	Letter dated April 7, 1983
RUT 0000092- 0000094	Letter dated April 13, 1983
RUT 0000095- 0000101	Draft Protocol dated April 7, 1983
RUT 0000102- 00000104	Letter dated April 28, 1983
RUT 0000105- 0000108	Protocol for Testing of Formaldehyde Emissions from Carbonless Copy Paper
RUT 0000109	Letter dated May 5, 1983
RUT 0000110- 0000119	Laboratory Services Agreements dated May 4, 1983

BATES NO.	DESCRIPTION
RUT 0000120-0000127	Protocol dated May 10, 1983
RUT 0000128	Letter dated May 27, 1983
RUT 0000129-0000138	Results of Preliminary Work Dated August 29, 1983
RUT 0000139	Letter dated August 31, 1983
RUT 0000140-0000144	Memo from dated September 22, 1983
RUT 0000145	Letter dated December 21, 1983
RUT 0000146-0000175	Draft Final Report dated December 21, 1983
RUT 0000176-0000177	Memorandum dated April 22, 1985
RUT 0000178-0000186	Report dated October 10, 1955
RUT 0000187-0000197	"The Toxicity of the Vapors of Aroclor 1242 and Aroclor 1254," by J.F. Treon, et al.
RUT 0000198-0000211	Report from Hilltop Research Institute, Inc. dated August 8, 1958 entitled "Study of Effects in Rabbits of Repeated Contact with "NCR" Paper and the Internal Phase of the Emulsion Coating"
RUT 0000212-0000222	Report from Hilltop Research Institute Inc. dated November 12, 1958 entitled "Extended Per Cutaneous Toxicity Test of NCR Paper and Internal Phase
RUT 0000238-0000243	Report entitled "Acute Oral Toxicity and Skin Irritation Tests on NCR KPCF Paper Coating and NCR KPCF Paper dated January 13, 1966"
RUT 0000327-0000335	Report VA-35 dated February 18, 1971, "Acute Toxicity and Irritation studies on an Aqueous Extract of Sample #4"
RUT 0000581-0000583	Report # 75-786-21 from International Bio-Research, Inc. dated November 13, 1975, entitled, "Acute Oral Toxicity Study of XP-2328"
RUT 0000718-0000727	Report # 77-653-21 (AS No. 3922A) from Hill Top-Toxicology dated October 3, 1977 entitled, "Acute Toxicity and Irritation Studies of NCR Regular CF Carbonless Paper Number 1274B"
RUT 0001083-0001094	Report # 79-699-21 (A.S. No. 2011-D) from Hill Top Research Inc., dated July 19, 1979 entitled, "Acute Oral and Dermal Toxicity, Primary Skin Irritation and Corrosivity and Acute Eye Irritation Potential of 15# Black Print CB Paper Outturn 70449 Order 16520 D"
RUT 0001095-0001106	Report # 79-670-21 (A.S. No. 2011-E) from Hill Top Research dated July 27, 1979 entitled, "Acute Oral and Dermal Toxicity, Primary Skin Irritation and Corrosivity of 38# CB 15# Low Odor Order #2325B Roll #12"

BATES NO.	DESCRIPTION
RUT 0001140-0001142	From Hill Top Research, "Project No. 79-543-80E, Summary Report of Black Print Self-Contained NCR Paper"
RUT 0001143-0001145	"Project . 79-0543-80A, Summary Report of Deep Blue CB NCR Paper"
RUT 0001148-0001149	Project # 79-670-21 Summary Report of Deep Blue CB NCR Paper submitted by Marian B. Vinegar, Ph. D.
RUT 0001150-0001151	Project # 79-669-21 Summary Report of Black Print CB NCR Paper submitted by Marian B. Vinegar, Ph. D.
RUT 0001165-0001176	Report # 79-1055-21 from Hill Top Research, Inc., dated November 30, 1978, "The Acute Oral and Dermal LD50, Primary Skin Irritation and Acute Eye Irritation Potential of AS 3354-A"
RUT 0001285-0001293	Report # 80-1149-21 from Hill Top Research Inc., dated December 15, 1980 entitled, "Acute Oral and Acute Dermal Toxicity, Primary Skin Irritation and Corrosivity, and Acute Eye Irritation Potentials of 52812 AX67004"
RUT 0001298-0001304	Report # 81-0081-21 from Hill Top Research, Inc. dated February 23, 1981 entitled, "The Acute Oral and Acute Dermal Toxicity, Primary Eye and Skin Irritation Potentials of BP# CB (60143, 97749)"
RUT 0001305-0001317	Report # 81-0082-21 from Hill Top Research, Inc. dated March 12, 1981 entitled, "Acute Oral and Acute Dermal Toxicity Screen, and Primary Eye Irritation Potential of CDB 14 # SC (XP-2738)"
RUT 0001318-0001331	Report # 81-0083-21 from Hill Top Research, Inc. dated March 20, 1981 entitled, "Acute Oral and Acute Dermal Toxicity , Primary Skin and Primary Eye Irritation Potentials of BP 14# SC (XP-2766)."
RUT 0001368-0001369	Memo dated July 24, 1981
RUT 0001370-0001372	Letter dated August 11, 1981
RUT 0001486-0001497	Project #81-1290-21 from Hill Top Research, Inc., dated November 12, 1981, entitled, "Acute Oral Toxicity Screen in Rats, Acute Dermal Toxicity Screen in Rabbits, Primary Skin Irritation Study in Rabbits, Primary Eye Irritation Study in Rabbits of J 18028 for Appleton Papers Incorporated."
RUT 0001498-0001518	Project #81-1291-21 from Hill Top Research, Inc., November 21, 1981, entitled, "Acute Oral Toxicity Screen in Rats, Acute Dermal Toxicity Screen in Rabbits, Primary Skin Irritation Study in Rabbits, Primary Eye Irritation Study in Rabbits of P-402-A" for Appleton Papers Incorporated"
RUT 0001519-0001530	Project #81-1292-21 from Hill Top Research, Inc. entitled, "Acute Oral Toxicity Screen in Rats, Acute Dermal Toxicity Screen in Rabbits, Primary Eye Irritation Study in Rabbits of XP 2058" for Appleton Papers, Incorporated"
RUT 0001576-0001585	Reports from Hazleton Raltech, Inc. dated September 21, 1982

BATES NO.	DESCRIPTION
RUT 0001586-0001617	Various reports from Hazleton Raltech, Inc. dated December 23, 1982
RUT 0001618-0001637	Report #002-15-21 issued by David L. Conine of Hill Top Research, Inc. entitled, "Acute Oral Toxicity Screen in Rabbits, Primary Eye Irritation Study in Rabbits of CF-INK" for Appleton Papers Inc.
RUT 0001638-0001659	Report #82-1515-21 issued by David L. Conine of Hill Top Research, Inc., dated January 17, 1983, entitled, "Acute Oral Toxicity Screen in Rats, Acute Dermal Toxicity Screen in Rabbits, Primary Skin Irritation Study in Rabbits of CF Sheets" for Appleton Papers Inc.
RUT 0001660-0001675	Report from Bio-Search, dated April 25, 1983, "Summary of Results of Acute Toxicity Studies for Hilton-Davis Co."
RUT 0001676-0001695	Report #83-0946-21 issued by David L. Conine of Hill Top Research, Inc. September 14, 1983 entitled, "Acute Oral Toxicity Screen in Rats, Acute Dermal Toxicity Screen in Rabbits, Primary Eye Irritation Study in Rabbits, of BP15 #CBXP-1512" for Appleton Papers Inc.
RUT 0001696-0001715	Report of Acute Toxicity and irritation Studies on XP-2192 from Hill Top Research, dated August 22, 1985, entitled, "Acute Oral Toxicity Screen in Rats, Acute Dermal Toxicity Screen in Rabbits, Primary Skin Irritation Study in Rabbits, Primary Eye Irritation Study in Rabbits, of XP-2192" for Appleton Papers, Inc.
RUT 0001716-0001819	Report #83-0123-70 entitled, "Safety Study of Paper Samples for Appleton Paper Co." dated June 23, 1983
RUT 0001820-0001837	Report # 83-0965-70 entitled, "Safety Study of Paper Samples for Appleton Paper Company" dated October 17, 1983
RUT 0001838-0001901	Final Report by Hazleton Laboratories entitled, "A Study to Determine the Potential Emanation of Formaldehyde Vapor from Carbonless Copy Paper for Appleton Papers, Appleton, Wisconsin" dated March 11, 1985
RUT 0001902	Letter dated November 2, 1984
RUT 0001903	Letter dated September 19, 1984
RUT 0001904-0001905	Letter dated December 14, 1984
RUT 0001906	Letter dated November 12, 1980
RUT 0001907	Handwritten letter dated November 1, 1984
RUT 0001908	Letter dated October 18, 1984
RUT 0001909	Handwritten letter dated November 1, 1984
RUT 0001910	Handwritten letter dated January 2, 1985

BATES NO.	DESCRIPTION
RUT 0001911	Undated unaddressed note stating "Most likely components in rubber."
RUT 0001913	Letter dated January 8, 1985
RUT 0001914- 0001915	Letter dated October 31, 1984.
RUT 0001917	Undated unsigned letter from unknown source
RUT 0001918- 0001936	Preliminary Report on the Hayden Family dated November 30, 1987 from Professional Consultants in Occupational Health Inc.
RUT 0001937- 0001942	Interrogatories from <i>Palma A. Lillis et al. v. Western Craft, Inc., and Willamette Industries, Uarco, Inc., Appleton Papers Inc., Central Paper Co., Inc., et al.</i> dated October 20, 1982
RUT 0001943- 0001972	Answers and Objections to Plaintiff's first Interrogatories to Defendant Appleton Papers Inc. from <i>Dorothy A. Nelson, et ux., v. Appleton Papers Inc.</i>
RUT 0002013- 0002053	Deposition transcript of Joseph L. Mitchell taken July 14, 1987 from <i>Bonnie T. Hayden and Julius A. Hayden v. Appleton Papers Inc. and Arnold Corporation</i>
RUT 0002383- 0002475	Deposition transcript of Robert J. Corning taken March 10, 1988 from <i>Bonnie T. Hayden and Julius Hayden, her husband v. Appleton Papers, Inc. and Arnold Corporation</i>

EXHIBIT B
LIST OF DOCUMENTS FOR WHICH PROTECTIVE ORDER SHALL BE PARTIALLY VACATED

BATES NO.	DESCRIPTION OF DOCUMENTS
RUT 0000001	Memo dated July 2, 1981
RUT 0000002	Memo dated July 28, 1981
RUT 0000003	Memo dated August 3, 1981
RUT 0000004	Memo dated August 13, 1981
RUT 0000005	Memo dated September 18, 1981
RUT 0000006	Memo dated October 1, 1981
RUT 0000007 -0000011	Memo dated November 9, 1981
RUT 0000013	Memo dated November 16, 1991
RUT 0000024	Memo dated March 17, 1983
RUT 0000082	Letter dated October 5, 1981
RUT 0000083- 0000084	Letter dated December 3, 1982
RUT 0000223- 0000237	Report of Project No. BTL-65-2, undated
RUT 0000244 -0000252	Report dated 2/25/69
RUT 0000253- 0000264	Report U-231 dated June 15, 1970
RUT 0000265- 0000279	Report U-316 dated August 15, 1970
RUT 0000280 - 0000306	Report of Project No. BTL 70-12 dated 9/11/70
RUT 0000307- 0000318	Reports U-315 and U-315A dated October 26, 1970
RUT 0000319- 0000326	Report U-622A dated February 16, 1971

RUTIGLIANO DOCUMENTS
TO BE REDACTED

BATES NO.	DESCRIPTION OF DOCUMENTS
RUT 0000336- 0000777	Report U-595 dated February 19, 1971
RUT 0000371- 0000375	Report VD-7 dated May 24, 1971
RUT 0000376- 0000387	Report V-1141A dated February 9, 1972
RUT 0000388- 0000398	Report V-1141B dated February 9, 1972
RUT 0000399- 0000409	Report V-1141C dated February 9, 1972
RUT 0000410- 0000421	Report V-1141D dated February 10, 1972
RUT 0000422- 0000434	Report V-1141E dated February 10, 1972
RUT 0000435- 0000445	Report # 72-013 dated February 24, 1972
RUT 0000450- 0000455	Report of Project No. SH-72-4 dated April 18, 1972
RUT 0000456- 0000490	Report dated August 31, 1972
RUT 0000491- 0000523	Report of Project No. BTL-72-15 dated August 31, 1972
RUT 0000524- 0000533	Report # 72-128-21 dated March 28, 1973
RUT 0000534- 0000544	Report # 73-664-21 dated January 3, 1974

RUTIGLIANO DOCUMENTS
TO BE REDACTED

BATES NO.	DESCRIPTION OF DOCUMENTS
RUT 0000545- 0000580	Report # 74-816-21 dated May 6, 1975
RUT 0000584- 0000612	Report # 76-472-21 dated July 21, 1976
RUT 0000613- 0000627	Report # 76-525-21 (AS No. 3150) dated July 20, 1976
RUT 0000628- 0000637	Report # 74-816-2 dated July 13, 1977
RUT 0000638- 0000668	Report No. 74-81 dated September 20, 1976
RUT 0000669- 0000697	Report of Project No. BTL No. 75-54 dated May 20, 1976
RUT 0000698- 0000707	Report # 77-652-21 dated September 23, 1977
RUT 0000708- 0000717	Report # 77-656-21 (A.S. .4351) dated October 5, 1977
RUT 0000728- 0000737	Report # 77-657-21 dated November 8, 1977
RUT 0000738- 0000748	Report # 77-654-21 (AS No. 3922B) dated November 15, 1977
RUT 0000749- 0000785	Report # 78-258-21 (A.S. No. 947) from dated April 28, 1978
RUT 0000786- 0000821	Report # 78-259-21 (A.S. No. 947) dated May 15, 1978
RUT 0000822- 0000857	Report # 78-260-21 (A.S. No. 947) dated May 31, 1978
RUT 0000858- 0000953	Report # 78-557-71 dated August 16, 1978

RUTIGLIANO DOCUMENTS
TO BE REDACTED

BATES NO.	DESCRIPTION OF DOCUMENTS
RUT 0000954- 0000965	Report # 78-908-21 dated November 7, 1978
RUT 0000966- 0000984	Report # 78-905-21 (A.S. No. 4164B) dated November 21, 1978
RUT 0000985- 0001000	Project Report # 78-1112-80 dated March 12, 1979
RUT 0001001- 0001011	LBI Project No. 20989 dated August 1978
RUT 0001012- 0001028	Report dated March 20, 1979
RUT 0001029- 0001043	Report dated May 2, 1979
RUT 0001044- 0001082	Report dated May 21, 1979
RUT 0001107- 0001118	Report # 79-672-21 (A.S. No. 2011-B) dated August 8, 1979
RUT 0001119- 0001133	Report # 79-673-21 (A.S. No. 2011-C) dated August 9, 1979
RUT 0001134- 0001145	Report # 79-672-21 of Project No. OST-118, Final Test dated August 8, 1979
RUT 0001146- 0001147	Project # 79-673-21, undated
RUT 0001152- 0001164	Report # 79-1056-21 (A.S. No. 3354-B) dated November 29, 1979
RUT 0001177- 0001187	Report # 80-0231-21 (A.S. No. 392) dated March 26, 1980
RUT 0001188- 0001211	Report # 80-476-21 dated May 9, 1980

RUTIGLIANO DOCUMENTS
TO BE REDACTED

BATES NO.	DESCRIPTION OF DOCUMENTS
RUT 0001212- 0001271	Report #24476 dated April 17, 1980 . Report #BW-79-12-585 dated December 1979. Special Study Report # ES-80-SS-4 dated February 27, 1980
RUT 0001272- 0001284	Report # A 215, undated
RUT 0001294- 0001297	Report # MB80-4955 F dated October 13, 1980
RUT 0001332- 0001361	Report # 81-0373-21
RUT 0001362- 0001367	Report of Project IR-77-178 dated July 7, 1981
RUT 0001373- 0001402	Report of Project dated August 20, 1980
RUT 0001403- 0001428	Study No. 800154 dated August 5, 1981
RUT 0001429- 0001439	Reports dated November 10, 1981
RUT 0001440- 0001485	Report #2281 dated August 1, 1981
RUT 0001531- 0001553	Report #82-04790-21 dated April 16, 1982
RUT 0001554- 0001575	Report #82-0480-21 dated April 23, 1982
RUT 0001912	Request for Analytical Services Analysis dated September 24, 1984
RUT 0001916	Memo dated October 20, 1984
RUT 0001973- 0002012	Deposition transcript of John Ashman taken July 14, 1987 in case captioned <i>Bonnie T. Hayden and Julius A. Hayden v. Appleton Papers Inc. and Arnold Corporation</i>

RUTIGLIANO DOCUMENTS
TO BE REDACTED

BATES NO.	DESCRIPTION OF DOCUMENTS
RUT 0002054- 0002255	Deposition transcript of Michael J. Stevens, Ph.D. taken October 29, 1987 in case captioned <i>Bonnie T. Hayden and Julius A. Hayden, her husband v. Appleton Papers, Inc., and Arnold Corporation</i>
RUT 0002256- 0002382	Deposition transcript of Michael J. Stevens, Ph.D.'s deposition taken October 30, 1987 in case captioned <i>Bonnie T. Hayden and Julius A. Hayden, her husband v. Appleton Papers Inc., and Arnold Corporation</i>