

DECLARATION OF PROOF OF SERVICE BY E-MAIL

Case Name: Application for Cancellation of IDR Application

Case NO. 2015-0243

OAH NO. 2016-050434

I declare:

I am known to Sheldon 'Kyle' Scarber (Respondent), at which this service was made. I am 18 years of age or older and not a party or affiliated to this matter. I am familiar with the practices of transmitting documents via electronic mail.

On October 17, 2016, I served the attached **REQUEST FOR PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS**, OAH Form 87 and **PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS**, OAH Form 88 by transmitting a true copy via electronic notification to address(es) below. I did not receive within a reasonable time of transmission, any electronic message, or other indication that the transmission was unsuccessful.

Office of Administrative Hearings
Via E-mail to: sacfilings@dgs.ca.gov

CalPERS
Elizabeth Yelland
Senior Staff Attorney
Via E-mail to: Elizabeth.yelland@calpers.ca.gov

Allyson McCain
Legal Support Supervisor
CalPERS Legal Office
Via E-mail: Allyson.McCain@calpers.ca.gov

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on October 17, 2016, at Squaw Valley, California.



Stephanie Walker
(Declarant)



OAH 87 REQUEST FOR PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS (Rev.07/13)

OFFICE OF ADMINISTRATIVE HEARINGS
State of California

REQUEST FOR PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS
 (Gov. Code § 11425.20; 11450.30; Cal. Code Regs., tit. 1, § 1030)

CASE TITLE <i>CANCELLATION OF IDR APPLICATION</i>	OAH CASE NO. <i>2016-050434</i>
NAME OF MOVING PARTY <i>SHELOON 'KYLE' SCARBER, PRO PER (RESPONDENT)</i>	AGENCY CASE NO. <i>2015-0243</i>
MOVING PARTY ATTORNEY/REPRESENTATIVE (Name, Address, Phone, Fax) <i>SHELOON K. SCARBER, PRO PER</i> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px;"></div>	

Notice: A party filing a document with OAH is required to redact all confidential personal information. A protective order sealing a record should be requested only when the document must be considered in its entirety and redaction of portions of the document is not practicable or will not adequately protect privacy interests.

Identification of Documents Requested to be Sealed:

This request for protective order sealing confidential records relates to the following documents:

EXHIBITS NUMBERED (indicate exhibit page numbers) *DR. SOBEL (EX G, H) AME MEDICAL REPORTS*; ALL EXHIBITS

TRANSCRIPTS RECORDINGS OTHER DOCUMENTS FILED WITH OAH (describe) *ANY DOCUMENTS PREPARED / SUBMITTED FOR CASE DUE TO RESPONDENT ACTING PRO PER (eg: HOME ADDRESS, PHONE NUMBER, ETC.)*

Factual Basis for Request for Protective Order Sealing Confidential Records:

The moving party alleges that the records listed above contain confidential personal information including:

medical information/records; personal financial information; alleged crime victim(s)/complaining witness(es); names of minor(s);

other (describe) *PERSONAL INFORMATION OF RESPONDENT*

These records should be protected from disclosure to the public. The documents cannot be partially redacted and must be sealed because (describe reasons):

CA. RULES OF COURT 2.550(d)(1)-(5); DUE TO CONTENT VOLUME (RESPONDENT) WAS UNABLE TO THOROUGHLY PERUSE DOCUMENTS FOR DISCLOSURE RELEVANCY AND PRIVACY.

Legal Authority for Protective Order Sealing Confidential Records:

The moving party alleges that a protective order sealing confidential records is authorized by the following legal authorities:


CA. RULES OF COURT 2.550 et seq; CA. CIVIL CODE 56 et seq (56.13) CONFIDENTIALITY OF MEDICAL INFORMATION ACT; HIPPA.

Opposition to Request: This request is NOT OPPOSED by any party. This request is opposed by (name): _____

A proof of service upon all parties to this case is attached as required. *NO SERVICE TO C.H.P AS THEY DEFAULTED.*

DATED: <i>10/11/2016</i>	Printed Name: <i>SHELOON K. SCARBER</i>	Signature: <i>K. Scarber</i>
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REQUEST FOR PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS

			OAH 88 PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS (Rev. 07/13)		
OFFICE OF ADMINISTRATIVE HEARINGS State of California					
PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS (Cal. Code Regs., tit. 1, § 1030)					
CASE TITLE <i>CANCELLATION OF IDR APPLICATION</i>			OAH CASE NO. <i>2016-050434</i>		
NAME OF AGENCY <i>CAL PERS</i>			AGENCY CASE NO. <i>2015-0243</i>		
AGENCY ATTORNEY/REPRESENTATIVE <i>E. YELLANO, Esq.</i>		RESPONDENT/APELLANT/PETITIONER <i>SHELDON K. SCARBER</i> <i>(RESPONDENT)</i>		RESPONDENT ATTORNEY/REPRESENTATIVE <i>PRO PER</i>	
FINDINGS: Motion to seal records made by <input checked="" type="checkbox"/> (moving party) <i>SHELDON K. SCARBER</i> <input type="checkbox"/> OAH Administrative Law Judge's own motion, on (date) <i>10/17/2016</i> . <input type="checkbox"/> Motion was unopposed. <input type="checkbox"/> Motion was opposed by (name) _____					
The administrative record, including the <input checked="" type="checkbox"/> EXHIBITS <input checked="" type="checkbox"/> TRANSCRIPTS <input checked="" type="checkbox"/> RECORDINGS <input checked="" type="checkbox"/> OTHER DOCUMENTS FILED WITH OAH in this matter contain confidential personal information including <input checked="" type="checkbox"/> medical information/records; <input type="checkbox"/> personal financial information; <input type="checkbox"/> investigative records; <input type="checkbox"/> names of minor(s); <input type="checkbox"/> alleged crime victim(s)/complaining witness(es); <input checked="" type="checkbox"/> other (describe) <i>ANY DOCUMENTS PREPARED/SUBMITTED FOR CASE DUE TO RESPONDENT ACTING PRO PER. (EG. HOME ADDRESS, PHONES, ETC.)</i> . This information is protected from disclosure to the public. Redaction of portions of the documents to delete this information is not practicable or will not provide adequate privacy protection. To protect privacy and confidential personal information from inappropriate disclosure, and good cause appearing, the following ORDERS are issued.					
PROTECTIVE SEALING ORDERS:					
ORDERS REGARDING DOCUMENTS: THE FOLLOWING DOCUMENTS AND RECORDS IN THIS MATTER ARE HEREBY SEALED AND ORDERED TO BE PROTECTED FROM PUBLIC DISCLOSURE WITHOUT FURTHER ORDER:					
<input checked="" type="checkbox"/> EXHIBITS NUMBERED (indicate Exhibit page numbers) <i>DR. SOBEL (EX. G, H) AMC MEDICAL REPORTS</i> ; <input type="checkbox"/> ALL EXHIBITS					
<input type="checkbox"/> WITNESS NAMES ON CONFIDENTIAL NAMES LIST <input checked="" type="checkbox"/> TRANSCRIPTS <input checked="" type="checkbox"/> RECORDINGS					
<input type="checkbox"/> OTHER DOCUMENTS FILED WITH OAH (Specify) _____					
ORDERS REGARDING TRANSCRIPTS/RECORDINGS: NO PERSON SHALL RELEASE A TRANSCRIPT OR RECORDING OF THIS MATTER CONTAINING CONFIDENTIAL WITNESS NAMES OR OTHER IDENTIFYING INFORMATION TO THE PUBLIC. EVERY COURT REPORTER OR TRANSCRIBER IS HEREBY ORDERED TO REFER TO INDIVIDUALS WHOSE NAMES APPEAR ON THE CONFIDENTIAL NAMES LIST BY THE PERSON'S INITIALS OR AN ASSIGNED NUMBER ONLY. ANY CONFIDENTIAL NAMES LIST IS SEALED AND SUBJECT TO THIS ORDER.					
<input type="checkbox"/> ADDITIONAL TERMS OF THIS ORDER SET FORTH IN ATTACHMENT.					
All documents subject to this order shall be marked as an exhibit, made part of the administrative record, sealed and shall not be released without further order. Documents subject to this order will be placed in a sealed envelope with a copy of this order attached to the outside. A copy of this order will be placed in the OAH file and the OAH case management system and given to each party and court reporter.					
This order governs the release of documents to the public. A reviewing court, parties to this matter, their attorneys, and a government agency decision maker or designee under Government Code section 11517 may review the documents subject to this order provided that such documents are protected from release to the public.					
<input type="checkbox"/> A COPY OF THIS ORDER HAS BEEN GIVEN TO ALL PARTIES ON THE RECORD. <input type="checkbox"/> PROOF OF SERVICE OF THIS ORDER IS ATTACHED.					
DATED:			ADMINISTRATIVE LAW JUDGE (Print Name and Sign):		

PROTECTIVE ORDER SEALING CONFIDENTIAL RECORDS