

Case No. VWJ-0001

June 29, 1999

DECISION AND ORDER

OF THE DEPARTMENT OF ENERGY

Protective Order

Name of Petitioner: Nicholas Dominguez

Date of Filing: June 25, 1999

Case Number: VWJ-0001

On April 20, 1999, Nicholas Dominguez filed a request for hearing under the Department of Energy's Contractor Employee Protection Program, 10 C.F.R. Part 708 (Case No. LWA- 0006). Dominguez alleges that his former employer, Lockheed Martin Energy Research Corporation (Lockheed Martin), retaliated against him for disclosing information concerning possible safety issues.

Dominguez seeks discovery of Lockheed Martin documents that the firm claims are confidential business documents. Lockheed Martin has agreed to provide these documents pursuant to the attached Protective Order that has been agreed to by counsel for Dominguez. The parties ask that the attached Agreed Protective Order be issued as an Order by the Department of Energy. The Agreed Protective Order states, inter alia, that counsel for Dominguez shall not make use of or disclose any information in the documents except for purposes related to the present proceeding, and that upon the termination of the proceeding shall destroy the documents.

I have reviewed the attached Agreed Protective Order and have concluded that it should be issued as an Order of the Department of Energy.

It Is Therefore Ordered That:

The attached Agreed Protective Order is hereby issued as an Order of the Department of Energy.

Bryan F. MacPherson

Hearing Officer

Office of Hearings and Appeals

Date: June 29, 1999