

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

In Re Charge of Shahrokh Daghighian

United States of America, Complainant v. San Diego Semiconductors, Inc., a California Corporation, Respondent; 8 U.S.C. 1324b Proceeding; Case No. 89200442.

PROTECTIVE ORDER RE: INSPECTION OF RESPONDENT'S PREMISES

A pre-hearing telephonic conference in the above-entitled case was held on Friday, May 25, 1990, at 1:15 p.m., PST. Participating in the conference were Kirk M. Flagg, Esquire, with the Office of Special Counsel, and Dr. Emmanuil Raiskin, President of Respondent company, San Diego Semiconductors, Inc. Mr. Shahrokh Daghighian did not participate in the conference.

I granted this telephonic conference upon request of Attorney Flagg to discuss the inspection of the premises of Respondent company, scheduled for May 30, 1990.

The United States government intends to have Dr. Richard Arsenault, Kirk M. Flagg, Esquire, Isaias Ortiz, Esquire, and Shahrokh Daghighian, charging party, at Respondent's premises for said inspection.

That Respondent, through Dr. Emmanuil Raiskin, President, invoked several questions and has requested this protective order.

Therefore, in careful consideration of oral argument on behalf of the government and Respondent, I am issuing the following protective order pursuant to my authority found in Section 68.40 of the Rules of Practice and Procedure.

1. That the inspection of Respondent's premises shall take place on Wednesday, May 30, 1990.

2. That the inspection of Respondent's premises shall be restricted to technical or scientific areas, particularly those in which Mr. Daghighian worked.

3. That said areas are restricted to this case and do not involve any other areas of operation or company facilities.

4. That, since Mr. Daghighian is a party to this matter, I cannot exclude him from participating in the inspection along with the other participants.

5. That it is understood Dr. Raiskin will accompany the inspectors during the tour.

6. That the inspectors will in no way interfere with Respondent's employees, or in any way, hamper or impede the business being conducted at Respondent's premises, and shall exit said premises immediately after the inspection.

7. That Mr. Daghighian is not to converse or in any manner communicate with any of the Respondent's employees and is to refrain from any action which would be in derogation of the reasons that the inspectors are on Respondent's premises.

8. That it is understood the government will FAX a two-page resume covering the work activity, experience, and background of Dr. Richard Arsenault to Respondent, Dr. Raiskin, immediately, as per the understanding of the parties.

9. That Attorney Flagg will prepare another confidentiality agreement to be signed by Dr. Arsenault which does not contain paragraph VI, and said agreement, or a copy thereof, will be given to Dr. Raiskin prior to the inspectors entering for inspection Respondent's premises.

10. That the Court will charge Kirk M. Flagg, Esq., with responsibility of ensuring that the above protective items are carried out by the inspectors under his guidance.

**IT IS ORDERED:** This 25th day of May, 1990, at San Diego, California.

E. MILTON FROSBURG  
Administrative Law Judge