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IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

STATE OF IDAHO,
Plaintiff,

V.

BRYAN C. KOHBERGER
Defendant.

Case No. CR29-22-2805

STIPULATION FOR
PROTECTIVE ORDER

COME NOW the above-named parties, by and through their undersigned attorneys,
and hereby stipulation to the entry of a protective order pursuant to Idaho Criminal Rule
16(l) as follows:

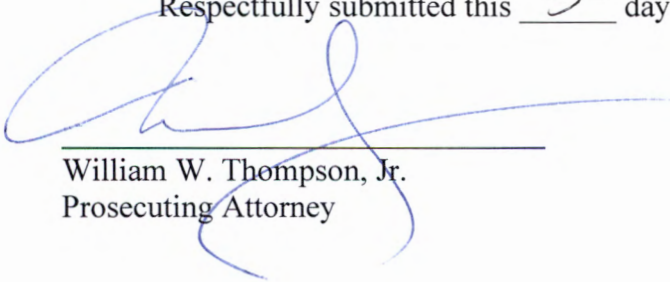
This protective order pertains to records obtained from the University of Idaho during
the course of the investigation of this case. Those records fall into two categories:

1. Records pertaining to Madison Mogen, Kaylee Goncalves, Ethan Chapin
and Xana Kernodle.
2. Records from the University of Idaho pertaining to other individuals
including students, faculty and staff, and records from the University of
Idaho's Office of Civil Rights Investigation (OCRI).

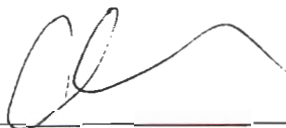
By way of background, the records of the University of Idaho are protected by various federal and state laws including the Family Educational Rights and Privacy Act (FERPA) as well as various state personal information privacy protections. The State has been advised by legal counsel for the University of Idaho that FERPA protections do not survive the death of the subject individual. Consequently, FERPA issues in this case do not apply to University of Idaho records regarding Madison Mogen, Kaylee Goncalves, Ethan Chapin and Xana Kernodle. However, other personal privacy protections remain including “protected information” as defined in Idaho Criminal Rule 16(d)(1). The State will redact that information in accordance with Idaho Criminal Rule 16(d) and the parties will comply with the protections afforded by said rule.

As to University of Idaho records other than those pertaining to Madison Mogen, Kaylee Goncalves, Ethan Chapin and Xana Kernodle, the parties stipulate to the entry of a protective order limiting access of those records to direct review by defense counsel and with the provision that any further dissemination or use of those records would be prohibited absent a specific court order or further stipulation of the parties. The parties recognize that further dissemination or use may require redaction or compliance with FERPA mandates for notice to the subject persons prior to their dissemination or use.

Respectfully submitted this 5th day of June, 2023.



William W. Thompson, Jr.
Prosecuting Attorney



Anne Taylor
Attorney for Defendant