

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

JOHN WARD, JR.

PLAINTIFF

v.

Civil No. 08-4022

CISCO SYSTEMS, INC.

DEFENDANT

ORDER

Now on this 8th day of July, 2009, comes on for consideration **Plaintiff John Ward, Jr.'s Submission Log and Motion for an Order Directing Cisco to Provide Identified Documents to the Court for In Camera Review** (document #75) and the response thereto. The Court, being well and sufficiently advised, finds and orders as follows:

1. The Court notes initially that, in addition to the motion addressed by this Order, there is presently pending before the Court **Plaintiff Ward's Motion to Compel Compliance with the Court's March 30, 2009 Order** (document #61). Further, it will be recalled that a conference call was held with the parties and the Court on June 12, 2009 to discuss the said motion to compel. Finally, it will further be recalled that, during that conference call, the Court ordered defendant to produce for *in camera* review all documents which could be responsive to plaintiff's interrogatories number 5 & 6.

Based on the history of this issue -- including multiple pleadings and telephone conference calls -- the Court believes

its directions were clear and that they need no "clarification." However, it appears there may be some confusion as to the Court's intent and, thus, the motion under discussion was filed.

2. Perhaps granting the motion portion of **Plaintiff John Ward, Jr.'s Submission Log and Motion for an Order Directing Cisco to Provide Identified Documents to the Court for In Camera Review** (document #75) will serve to clear up that confusion. Accordingly, the said motion part of that pleading will be granted, as stated, and defendant, Cisco, will again be ordered to produce to the Court, for *in camera* review, any and all documents which *could be* responsive to plaintiff's interrogatories numbers 5 and 6 and it will be ordered that such production shall include, specifically, all documents listed in plaintiff's submission log. The Court will further order that the *in camera* production be made within five (5) days from the date of this Order.

3. Once the documents are produced to the Court as hereby ordered, the Court will then review the documents with respect to any asserted privilege.

IT IS, THEREFORE, ORDERED:

* that the motion portion of **Plaintiff John Ward, Jr.'s Submission Log and Motion for an Order Directing Cisco to Provide Identified Documents to the Court for In Camera Review** (document #75) be, and it hereby is, **granted;**

* that defendant, Cisco, is again ordered to produce to the Court, for *in camera* review, any and all documents which *could* be responsive to plaintiff's interrogatories numbers 5 and 6 and it is ordered that such production shall include, specifically, all documents listed in plaintiff's submission log; and

* that the *in camera* production be made within five (5) days from the date of this Order.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE