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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

LUCIO CORRAL RODRIGUEZ,  
individually, and as Successor in Interest to  
the decedents, MARICRUZ CORRAL,  
IVAN ALEXANDER CORRAL, and  
LUCIO ANTHONY CORRAL,

Plaintiff,

Case No.: 1:08-CV-00856-OWW-GSA

**ORDER ON PLAINTIFF LUCIO CORRAL'S  
MOTION TO COMPEL CERTAIN  
DISCOVERY AND TO ALLOW THE  
COMPLETION OF ALL OUTSTANDING  
DISCOVERY**

vs.

COUNTY OF STANISLAUS, CITY OF  
MODESTO, CITY OF RIVERBANK,  
STATE OF CALIFORNIA, AMTRAK  
CALIFORNIA, BURLINGTON  
NORTHERN SANTA FE RAILWAY; and  
DOES 1 to 200,

Defendants.

Having reviewed Plaintiff Lucio Corral's Motion to Compel Certain Discovery and to Allow the Completion of All Outstanding Discovery, the papers filed by Defendants BNSF Railway (hereinafter "BNSF"), National Railroad Passenger Corp. (hereinafter "Amtrak"), and the County of Stanislaus (hereinafter "County"), the evidence presented by the parties, and having heard the arguments of counsel during the April 13, 2010 hearing on this matter, and good cause appearing therefor, this Court orders as follows:

1           1.       On or before April 30, 2010, Defendant Amtrak is to produce the complete calibrated  
2 tabular data for all of May 8, 2007, from the event data recorder on the subject train.

3           2.       On or before April 27, 2010, the parties are to enter into a stipulated protective order  
4 to protect the confidentiality of the agreement between Defendants Amtrak and BNSF concerning  
5 the subject train tracks, and file the document with the Court. The parties are expected to negotiate  
6 in good faith and submit the stipulated protective order for the Court’s approval. Within fourteen  
7 days of entry of the stipulated protective order and approval by this Court, the unredacted agreement  
8 is to be produced pursuant to the protective order.

9           3.       The following depositions are permitted to be taken, and must be completed on or  
10 before April 30, 2010-- the deposition of Darren Gilbert; the deposition of Jennifer Langenheim;  
11 and the Rule 30(b)(6) deposition(s) of BNSF pursuant to Plaintiff’s deposition notice previously  
12 served.

13           4.       On or before April 30, 2010, the County is to produce any documentation concerning  
14 any traffic counts relating to the subject intersection, occurring prior to the date of the subject  
15 accident, if such documents exist.

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17           IT IS SO ORDERED.

18           **Dated:** April 20, 2010

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

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