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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SERGIO ALEJANDRO GÁMEZ,
Plaintiff,

v.
F. GONZALEZ, et al.,
Defendants.

Case No. 08cv1113 MJL (PCL)
**ORDER DENYING MOTIONS
TO COMPEL;**
**ORDER DENYING MOTION
FOR APPOINTMENT OF
COUNSEL; and**
**ORDER SETTING STATUS
CONFERENCE**

Pursuant to the Court’s Order of August 10, 2010 (Doc. No. 44), a Motion Hearing was held on August 11, 2010. The parties appeared telephonically before The Honorable Peter C. Lewis, United States Magistrate Judge. After hearing argument on Plaintiff’s Motion to Compel Discovery (Doc. Nos. 39; 41) and Motion to Appoint Counsel (Doc. No. 40) and being advised of the status of the case, the Court ORDERS:

Plaintiff’s Motion for Appointment of Counsel (Doc. No. 40) is **DENIED**;

Plaintiff’s Motion to Compel Discovery (Doc. No 39) and Motion to Compel Discovery (Doc. No. 41) are hereby **DENIED**;

Defendants are **ORDERED to produce** the following documents for *in camera* review:

- (1) All documents reviewed in conjunction with every Gang Validation Review of Plaintiff from 2004 to the present date including, but not limited to: CDC 128-B Reports, Confidential Debriefing Reports, and Confidential Interview Reports;
- (2) California Code of Regulations, Title 15, Sections 3000-3002, 3023, 3130, 3133, 3084, 3269, 3310, 3312-3313, 3315-3316, 3320-3321, 3341, 3375, 3376, 3378-3379, 3382, and 3402 corresponding to the year of Plaintiff’s last Gang Validation Review;

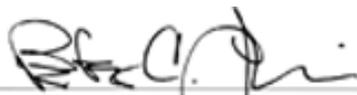
- 1 (3) Department Operations Manual, Chapter 5, Article 22, Section 52070
2 corresponding to the year of Plaintiff's last Gang Validation Review;
3 (4) Relevant section(s) from the current California Department of Corrections'
4 Classification Manual "that details the criteria for allowing a gang member or
5 associate to be housed in the general population;" and
6 (5) Any administrative bulletin, memorandum or notice issued to California
7 Department of Corrections staff regarding Castillo v. Terhune, et al., USDC N.D.
8 Case No. C94-2847 MJJ;

9 The documents ordered for production to the Court must be produced no later than
10 **September 13, 2010**, but the Court may consider an application to extend time for good cause
11 shown.

12 The parties are **ORDERED** to appear for a telephonic **Status Conference** on **September**
13 **15, 2010 at 2:00 p.m.** Defense counsel shall initiate the conference call to the Chambers'
14 Conference Line at (760) 353-4227.

15 **IT IS SO ORDERED.**

16 DATE: August 18, 2010

17 
18 Peter C. Lewis
19 U.S. Magistrate Judge
United States District Court

20 cc: The Honorable M. James Lorenz
21 All Parties and Counsel of Record
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