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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

MIGUEL A. GONZALEZ-CHAVEZ,	)	Case No.:1: 12-CV-02053 JLT
	)	
Plaintiff,	)	ORDER AFTER INFORMAL TELEPHONIC
	)	CONFERENCE RE: DISCOVERY DISPUTE
v.	)	
	)	
CITY OF BAKERSFIELD, et al.,	)	(Doc. 27)
	)	
Defendants.	)	

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On May 14, 2014, the Court held an informal telephonic conference at counsels' request to address an ongoing discovery dispute. (Doc. 27) At this conference some issues were resolved as follows:

1. The Court will conduct an in camera review of all records of discipline of Officer Messick related to the use of excessive force. The Court **ORDERS** counsel for Defendants to provide the Court the records or to set up a time with the Court for a representative of the City of Bakersfield to produce the documents to the Court directly. The records **SHALL** be produced no later than May 30, 2014, regardless of the method;
2. Counsel for Defendants is **ORDERED** to provide a certification to Plaintiff's counsel authenticating the records produced already related to the training of the involved officers. The certification **SHALL** also admit the date each of the officers completed his/her POST certified basic training. If after receiving this certification, Plaintiff's counsel feels that additional deposition of the

1 person most knowledgeable is warranted, she SHALL meet and confer with opposing counsel and, if  
2 no agreement can be reached, to seek a further informal conference with counsel and the Court;

3 3. Plaintiff decided to withdraw the request that the person most knowledgeable produce  
4 records related to any download or upload of the data from the taser Officer Barthelmes' allegedly  
5 used during the incident at issue. This does not preclude Defendants from providing information  
6 explaining the apparent inconsistency between the testimony of the person most knowledgeable that  
7 data from the taser does not exist and Officer Barthelmes' deposition testimony stating, seemingly,  
8 that he personally uploaded the data into "training" from his taser;

9 4. There was no compromise reached as to the production of use of force documents by  
10 or about Officers Messick and Barthlemes. Therefore, Plaintiff's counsel may file a motion to  
11 compel discovery which complies with Local Rule 251(c) and the scheduling order.

12  
13 IT IS SO ORDERED.

14 Dated: May 14, 2014

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE