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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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7 ROBERT FEIGER,

8 Plaintiff,

9 v.

10 MARLENE SMITH, et al.,

11 Defendants.
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1:14-cv-01920-DAD-EPG (PC)

ORDER ON ATTORNEY GENERAL'S
OFFICE'S REQUEST FOR
CLARIFICATION OF ORDER AFTER
INITIAL SCHEDULING CONFERENCE
(ECF NO. 71)

14 On March 10, 2017, the Court issued an order requiring the Attorney General's Office
15 to send "**all of the documents it has received that are related to this case to Kathleen**
16 **Williams.**" (ECF No. 66, pgs. 1-2) (emphasis added). On March 14, 2017, the Attorney
17 General's Office filed a notice of compliance with this order. (ECF No. 67). Approximately
18 two weeks later, the Attorney General's Office filed this request, seeking clarification
19 concerning its obligation to produce documents beyond Plaintiff's non-confidential Central File
20 in this action. (ECF No. 71). The Attorney General's Office stated that it has possession of
21 Plaintiff's medical files in addition to Plaintiff's c-file.

22 For the sake of clarification, the Court reiterates that the Attorney General's Office is
23 required to send to Kathleen Williams *all* documents it has received that are related to this case.
24 This would include medical files. To the extent that the Court previously suggested that the
25 Attorney General's Office should disclose Plaintiff's c-file only, that instruction was based on
26 the understanding, from representatives of the Attorney General's office, that the c-file
27 comprises the only documents the Attorney General had obtained regarding the case. The
28 Court did not intend to permit the Attorney General's Office to withhold relevant documents.

1 The Court knows of no legal basis for an initial counsel to obtain relevant documents and then
2 withhold them from subsequent counsel, and relatedly from discovery on defendants.¹

3 Thus, all documents, including the c-file, medical file, or any other documents obtained
4 by the Attorney General's office in this case when it was acting as counsel for defendants shall
5 be treated as described under the Court's order (ECF No. 66).

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7 IT IS SO ORDERED.

8 Dated: March 31, 2017

9 /s/ Eric P. Gray
10 UNITED STATES MAGISTRATE JUDGE

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26 _____
27 ¹ See, e.g., California Rule of Professional Conduct 3-700(d)(1) ("A member whose employment
28 has terminated shall: [] Subject to any protective order or non-disclosure agreement, promptly release to the client,
at the request of the client, all the client papers and property. 'Client papers and property' includes
correspondence, pleadings, deposition transcripts, exhibits, physical evidence, expert's reports, and other items
reasonably necessary to the client's representation, whether the client has paid for them or not.").