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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ELAINE K. VILLAREAL,
Plaintiff,
v.
COUNTY OF FRESNO,
Defendant.

Case No. 1:15-cv-01410-EPG (PC)

ORDER REQUIRING PLAINTIFF TO
SUBMIT ADDITIONAL INFORMATION
FOR MOTION FOR ATTENDANCE OF
WITNESSES

(ECF NO. 38)

On July 19, 2017, Plaintiff filed a motion for attendance of witnesses (“the Motion”). (ECF No. 38). On July 26, 2017, Defendant filed objections to the Motion. (ECF No. 39).

Defendant asks that the Court deny the motion, “or, in the alternative, that the Court require Plaintiff to make a further offer of proof sufficient to meet the standards of detail and ‘sufficient relevancy’ and necessity, and so as to determine, assuming she can meet this standard, whether the testimony is nonetheless cumulative, warranting limitation in that regard.” (Id. at 7).

The Court will require Plaintiff to submit additional information as to the relevant information that several of her requested witnesses would testify about. Plaintiff has already submitted the declarations of Angie Padilla, Shannon Reis, Rachael Vasquez, and Kristen Thompson. (ECF No. 30, p. 6; ECF No. 33, pgs. 6-7, 9-11, & 18).¹ These declarations include details regarding the event(s) that each potential witness would testify about and will permit the

¹ Plaintiff refers to most of these declarations in the Motion. The Court notes that the declaration of Rachael Vasquez does not appear to satisfy the requirements of 28 U.S.C. § 1746(2).

1 Court to make a determination as to whether they should testify. (Id.). However, Plaintiff did not
2 provide declarations from Christy Flores, Sylvia Perez, Monica Macias, or Angelica Gutierrez.
3 Plaintiff only provided a one paragraph summary regarding the relevant information that each
4 witness can testify to. These summaries do not contain enough detail for the Court to determine
5 if these witnesses have personal knowledge of relevant information.

6 Accordingly, the Court will require Plaintiff to submit additional information regarding
7 the relevant information that inmates Christy Flores, Sylvia Perez, Monica Macias, and Angelica
8 Gutierrez can testify to. Relevant details include when the event(s) each witness will testify to
9 occurred, what happened during the event(s), and whether the witness has information regarding
10 the Plaintiff's own efforts to submit a grievance. If possible, Plaintiff should present this
11 information in the form of a declaration from each potential witness.

12 Therefore, based on the foregoing, IT IS HEREBY ORDERED THAT:

- 13 1. Plaintiff has fourteen days from the date of service of this order to submit
14 additional information regarding the relevant information that inmates Christy
15 Flores, Sylvia Perez, Monica Macias, and Angelica Gutierrez can testify to, and
16 how each has personal knowledge of the relevant information; and
- 17 2. Defendant has seven days from the date the additional information is filed in
18 CM/ECF to file a reply.²

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20 IT IS SO ORDERED.

21 Dated: August 1, 2017

22 /s/ Eric P. Gray
23 UNITED STATES MAGISTRATE JUDGE

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27 ² The Court notes that, given how little time there may be between the ruling on the Motion and the
28 evidentiary hearing, the Court may issue writs of corpus ad testificandum for potential witnesses and vacate them
after review of the relevant information is received.