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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TINA MA, et al.,
Plaintiffs,
v.
CITY OF FRESNO, et al.,
Defendants.

Case No. 1:15-cv-01426-WBS-MJS
**ORDER DIRECTING CLERK TO RETURN
DOCUMENTS TO THE OFFICE OF THE
FRESNO COUNTY DISTRICT ATTORNEY**

The Court is in receipt of a copy of correspondence, dated February 23, 2017, from Douglas O. Treisman, Senior Deputy District Attorney at the Fresno County Office of the District Attorney, to Stanley S. Ma, counsel for Plaintiffs. The Office of the District Attorney is not a party to this action and Mr. Treisman is not counsel of record.

The correspondence appears to relate to a subpoena duces tecum that apparently was served on the Office of the District Attorney. In the letter, Mr. Treisman states that he has sent a declaration and an opinion letter to the “Federal Court” “under seal” explaining his inability to provide the opinion letter to Plaintiff’s counsel. He states he will provide the opinion letter if required to do so by court order.

A review of the docket reflects that there are no discovery disputes in this matter that are pending before the Court. Neither party has requested a ruling regarding the

1 District Attorney's release of the opinion letter. The Office of the District Attorney has not
2 sought to quash the subpoena. In short, there is no matter before the Court to which this
3 correspondence pertains.

4 Furthermore, the letter from Mr. Treisman to Mr. Ma is the only correspondence
5 the Court has received in this regard. Mr. Treisman has not moved to submit documents
6 under seal and the Court has received no such submissions. The copy of the
7 correspondence that the Court received does not include the opinion letter at issue,
8 despite references therein to submission of same to the "Federal Court" "under seal."
9 Thus, even if the Court was inclined to rule on a matter that no party or real party in
10 interest has properly brought before it, it could not do so because it is wholly without
11 information regarding the nature of the dispute or the evidence at issue.

12 Accordingly, the Clerk's Office is HEREBY DIRECTED to return Mr. Treisman's
13 letter and the attached declaration to the Office of the District Attorney.

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15 IT IS SO ORDERED.

16 Dated: April 26, 2017

17 /s/ Michael J. Seng
18 UNITED STATES MAGISTRATE JUDGE
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