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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DYRELL WAYNE JONES,
Plaintiff,
v.
J. WALINGA, ET. AL.,
Defendants.

Case No. 1:19-cv-00396-DAD-HBK
ORDER GRANTING MOTION FOR
CLARIFICATION AND MOTION FOR
ENLARGEMENT OF TIME
(Doc. No. 65)

Pending before the Court is Defendants’ motion for clarification and supporting declaration of attorney Alice M. Segal. (Doc. Nos. 65, 65-1, “Motion”). The Motion seeks clarification of the Court’s June 25, 2021 Order (Doc. No. 62) and an enlargement of time to comply with the Court’s June 25, 2021 Order. (*See generally* Doc. No. 65).

As background, the Court’s June 25 Order granted in part and denied in part Plaintiff’s motion to compel. (Doc. No. 62 at 6-7). To the extent Plaintiff’s motion to compel was granted, the June 25 Order directed Defendants to produce “any reports or complaints lodged against defendants for misconduct in their capacity as correctional officers from the date they began working at CDCR to the date of the alleged incident involving Plaintiff.” (*Id.* at 5). The deadline to produce the documents was fourteen days of the date on the order. (*Id.* at 6). Defendants’ Motion seeks a sixty-day enlargement of time to the above-referenced deadline to produce the documents to Plaintiff, explaining that the Litigation Coordinator at Kern Valley State Prison is

1 on vacation until July 19, 2021 and he is solely responsible for gathering the documents. (*See*
2 Doc. No. 65 at 2-3; Doc. No. 65-1 at 2). Additionally, Defendants' Motion seeks clarification as
3 to whether Defendants may redact third-party inmates' identifying information from the
4 documents. (Doc. No. 65 at 3-5). Defendants submit that third-party inmates do not have any
5 involvement in the facts underlying this case and have not consented to having their grievances
6 released to the Plaintiff. (*Id.* at 4). Defendants further note that a review of the June 25 Order
7 shows the substance of the production is directed at the facts contained in the grievances, not the
8 identity of the inmate making the grievance. (*Id.* at 5). Defendants argue that the third-party
9 inmates have an interest in confidentiality or face increased risk in an already dangerous
10 environment given the content of the grievances. (Doc. No. 65 at 5; *see also* Doc. No. 65-1 at 2).

11 In his motion to compel, Plaintiff did not request the third-party inmates' names. To the
12 extent Defendants are concerned about disclosure of the third-party inmates' identities in this
13 production, the Court agrees that redaction of the inmates' identities is proper. *Lamon v. Adams*,
14 No. 1:09-cv-00205-LJO-SKO-PC, 2010 WL 4513405 *3 (E.D. Ca. Nov. 2, 2010). Indeed, the
15 Court may limit the scope of discovery to protect the privacy interests of litigants and other third
16 parties. *Id.* Additionally, the Court find Defendants have shown good cause to warrant a sixty-
17 day enlargement of time to produce the relevant documents.

18 Accordingly, it is **ORDERED**:

19 1. Defendants' motion for clarification (Doc. No. 65) is GRANTED and the third-parties
20 inmates' identities shall be redacted.

21 2. Defendants' motion for an enlargement of time (Doc. No. 65) is GRANTED and
22 Defendants shall produce the documents as directed in the June 25 Order, clarified by the instant
23 order, on Plaintiff **no later than September 17, 2021**.

24
25 Dated: July 14, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE