

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

MATTHEW JENNINGS,)	CASE NO. 2:08-CV-1305-HDM-RAM
)	(Eastern District of California)
Plaintiff(s),)	MINUTES OF THE COURT
vs.)	DATED: JULY 7, 2010
A. MORELAND, et al.)	
Defendant(s).)	

PRESENT: HONORABLE ROBERT A. McQUAID, JR., U.S. MAGISTRATE JUDGE

Deputy Clerk: JENNIFER S. COTTER Reporter: FTR: 1:30:15 p.m. - 1:55:20 p.m.

Counsel for Plaintiff(s): MATTHEW JENNINGS, In Pro Per (telephonically)

Counsel for Defendant(s): TODD IRBY (telephonically)

PROCEEDINGS: MOTION HEARING

1:30 p.m. Court convenes.

The Court addresses each of the subject motions.

Motion Seeking Discovery (#74)

Plaintiff is advised of the proper procedure for bringing a discovery dispute before the Court.

As discovery is still open, the Court advises Plaintiff to send a new Request for Production of Documents tailored to ask for incident reports during the requested time frame involving assaults by general population prisoners against protective custody prisoners only. If records are available and easily accessible, they shall be provided to Plaintiff in redacted form. If Mr. Irby discovers that it is burdensome, the Court will revisit the issue. Given these occurrences, IT IS ORDERED that the Motion Seeking Discovery is DENIED without prejudice.

Motion for Transcripts (#78)

Plaintiff withdraws motion. As such, IT IS ORDERED that the Motion for Transcripts is DENIED.

Motion to Compel (#88) and Motion for Sanctions (#89)

Mr. Irby represents to the Court that he has been unable to contact Defendant Stewart. The Court

Page Two
Minutes
2:08-CV-1305-HDM-RAM (Jennings v. Moreland, et al.)
July 7, 2010

suggests that Mr. Irby file a motion to withdraw. Therefore, IT IS ORDERED that the Motion to Compel and Motion for Sanctions are HELD IN ABEYANCE until such time as there is a ruling on the motion to withdraw to be filed.

Motion for Order Granting Priority Library Use (#93)

IT IS ORDERED that Motion for Order Granting Priority Library Use is GRANTED. The Court will sign the proposed order, and it will be filed.

Request for Judicial Notice (#102)

Plaintiff is advised that the Request for Judicial Notice entails events that are not properly the subjects of judicial notice. Therefore, the Request for Judicial Notice is DENIED.

Plaintiff represents to the Court that he has not received responses to the Requests for Admissions previously ordered. Mr. Irby states that he has sent them out, but will follow up and resend them if necessary.

Some discussion takes place regarding Plaintiff's third amended complaint. IT IS ORDERED that any existing defendants already in the case shall have until **August 7, 2010** to file their answer to said complaint. The parties are encouraged to monitor the status of the unserved defendants.

Plaintiff advises the Court he has not been given the opportunity to review his Central File as previously ordered. IT IS ORDERED that, within the next **thirty (30) days**, Plaintiff shall be given an opportunity to review his Central File for a period of **two (2) hours**. If this does not occur, the responsible prison official will have to appear in Reno, NV to provide an explanation to the Court.

1:55 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk