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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHANTHON BUN,

Plaintiff,

No. CIV S-09-0631 LKK EFB P

vs.

T. FELKER, et al.,

Defendants.

ORDER

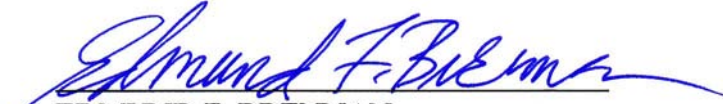
On March 17, 2011, the court issued an Order to Show Cause requiring defendants to address why it was proper for them to file nearly 100 pages of plaintiff’s unredacted medical records as exhibits to their motion to dismiss for failure to exhaust administrative remedies. Dckt. No. 44. On March 25, 2011, defendants filed a response, which included a declaration signed by defense counsel under penalty of perjury. Dckt. No. 45, Attach. 1 (“Barlow Decl.”).

Defense counsel suggests that filing nearly 100 pages of plaintiff’s unredacted medical records was the only way by which she could demonstrate that plaintiff had opportunities to submit inmate appeals to non-custody personnel. See Barlow Decl. ¶ 4. According to counsel, she believed that plaintiff’s unredacted medical records (exceeding a span of two years) were not confidential because plaintiff submitted with his complaint a single medical record dated November 24, 2006, and alleged that he had been denied medical treatment for injuries sustained

1 on that day. *Id.* ¶¶ 5-6; *see also* Compl. Counsel also claims to have “overlooked” Local Rule
2 140¹ (Privacy Concerns and Redaction) when she filed the motion to dismiss. Barlow Decl. ¶ 2.

3 Based on the representations in defendants’ response, IT IS HEREBY ORDERED that
4 the March 17, 2011 order to show cause is discharged.

5 DATED: March 30, 2011.

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7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
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26 ¹ Presumably a typographical error, counsel actually claims to have overlooked Local Rule 401, which concerns shackling of in-custody defendants.