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

MARK THOMSEN,

Plaintiff,

No. CIV S-09-1108 KJM EFB

VS.

1

2

3

4

5

6

7

8

9

10

11

12

13

15

16

17

18

19

20

21

22

23

24

25

26

SACRAMENTO METROPOLITAN FIRE DISTRICT, et al.,

14

Defendants.

ORDER

On March 7, 2012, the court heard plaintiff's motion to compel defendant to comply with the deposition notice for the person most knowledgeable regarding the complaints made against plaintiff following his reinstatement as an employee of defendant following his arbitration, and to produce documents requested in plaintiff's deposition notice to defendant's custodian of records (request numbers 6 and 8). Dckt. No. 48. Attorney Joel Rapaport appeared at the hearing on behalf of plaintiff and attorney Matthew Engebretson appeared on behalf of defendant. As stated on the record, and for the reasons stated on the record, each party is to bear its own costs, and plaintiff's motion to compel is granted in part and denied in part, as follows:

1. Plaintiff's motion to compel defendant to comply with the deposition notice for the person most knowledgeable regarding the complaints made against plaintiff following his reinstatement as an employee of defendant following his arbitration is granted.

2. Plaintiff's motion to compel defendant to produce documents responsive to Request Number 6 in plaintiff's deposition notice to defendant's custodian of records is granted in part and denied in part. Specifically, plaintiff's requests for documents relating to (a) plaintiff's investigation of Denise Haddix's complaint of Sexual Harassment/Assault/Related Claims; (b) the investigation into plaintiff's complaints of retaliation regarding his investigation of Denise Haddix's complaints of Harassment/Assault/Related Claims; (c) any investigation regarding plaintiff's suspension following his reinstatement after arbitration; and (d) any investigation regarding employees coming to plaintiff's personal residence, are granted. Plaintiff's requests for documents relating to (a) any investigation of financial crimes and bid rigging by defendant's managers in 2006; (b) any investigation of Margarita's secretary that was a convicted felon; and (c) any investigation of defendant's employees' fraudulent college degrees, are denied.

3. Plaintiff's motion to compel defendant to produce documents responsive to Request Number 8 in plaintiff's deposition notice to defendant's custodian of records is granted.
SO ORDERED.

DATED: March 12, 2012.

EDMUND F. BRENNAN

UNITED STATES MAGISTRATE JUDGE

¹ Although the undersigned directed plaintiff's counsel to submit a summary order, in light of this order, plaintiff's counsel is no longer required to do so.