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17 *M. Veal and Alicia Terry, Administrator of the Estate*
of Raymond Andreasen, M.D.

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20 **UNITED STATES DISTRICT COURT**
21 **EASTERN DISTRICT OF CALIFORNIA**

22 JAMISI JERMAINE CALLOWAY,
23 Plaintiff,
24 v.
25 M. VEAL, et al.,
26 Defendants.

Case No. No. 2:09-cv-2907-GEB-EFB P

**STIPULATION AND [PROPOSED]
ORDER REGARDING PLAINTIFF'S
PREVIOUSLY SERVED WRITTEN
DISCOVERY**

1 This Stipulation is entered into by and between Plaintiff Jamisi Jermaine Calloway,
2 Defendant M. Veal, and Defendant Alicia Terry, administrator of the Estate of deceased
3 Defendant Raymond Andreasen, MD¹.

4 **WHEREAS** on September 13, 2011, Plaintiff Jamisi Jermaine Calloway served on
5 Defendants Veal and Andreasen Requests for Admission, Requests for Production, and
6 Interrogatories in the above-captioned matter (the “written discovery requests”);

7 **WHEREAS** Defendants Veal and Andreasen objected to Plaintiff Calloway’s written
8 discovery requests on October 13, 2011 on the basis of, *inter alia*, their inability to decipher the
9 particular defendant to which certain requests were directed and the type of discovery sought by
10 certain requests; and

11 **WHEREAS** on July 30, 2014 the Court ordered Defendants to respond to Plaintiff
12 Calloway’s written discovery requests;

13 **It is hereby STIPULATED and AGREED that:**

14 1. Plaintiff Calloway shall be permitted to revise the written discovery requests
15 served on September 13, 2011, to clarify the information requested and the party to whom the
16 requests are directed;

17 2. Requests previously implicating Defendant Andreasen shall be redirected, as
18 applicable, to Defendant Veal or Defendant Terry, administrator of the Estate of deceased
19 Defendant Raymond Andreasen, MD;

20 3. The revised written discovery requests shall supersede the written discovery
21 requests served on September 13, 2011 and, as such, (a) Defendants need only respond to the
22 revised written discovery requests; and (b) the written discovery requests served on September
23 13, 2011 shall not be counted against any quantitative or other applicable limit on Plaintiff
24 Calloway’s written discovery;

25 4. Such revised written discovery requests shall be served on the Defendants no later
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27 ¹ On August 5, 2014, the parties filed a Stipulation and [Proposed] Order for Substitution of Party
28 Pursuant to Fed. R. Civ. P. 25(A), substituting Alicia Terry, as administrator for the Estate of
Raymond Andreasen, MD, for Dr. Andreasen as a defendant in the above-captioned matter. *See*
ECF No. 80.

1 than August 22, 2014;

2 5. Within 30 days of service of the revised written discovery requests, Defendants
3 shall respond to the revised written discovery requests;

4 6. Any motion to compel with regard to Defendants' responses to the revised written
5 discovery requests shall be filed within 30 days of the service of those responses;

6 7. Revision of the written discovery requests shall in no way operate as an admission
7 that the written discovery requests Plaintiff Calloway served on September 13, 2011 were in any
8 way deficient or improper; and

9 8. Revision of the written discovery requests shall in no way operate as a waiver of
10 Plaintiff Calloway's right or ability to seek additional discovery pursuant to the Court's July 30,
11 2014 Order.

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13 Dated: August 7, 2014

14 MICHELLE DES JARDINS

VICTOR JIH
ALICIA HANCOCK
ASHLEY PEARSON
O'MELVENY & MYERS LLP

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16
17 By: signature on original
18 Michelle Des Jardins
Supervising Deputy Attorney General


By: signature on original
Alicia Hancock

19 *Attorneys for Defendants*
20 *M. Veal and Alicia Terry, Administrator of*
the Estate of Raymond Andreasen, M.D.

Attorneys for Plaintiff
Jamisi Jermaine Calloway

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23 **IT IS SO ORDERED.**

24 Dated: August 14, 2014.
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The Honorable Edmund F. Brennan
United States Magistrate Judge