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9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
 11 SACRAMENTO DIVISION

13 **THOMAS JOHN HEILMAN,**
 14
 Plaintiff,
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 v.
 16
 17 **C. CHERNISS, et al.,**
 18
 Defendants.

2:11-cv-00042-JAM-EFB (PC)

**[PROPOSED] STIPULATION AND
 ORDER REGARDING FURTHER
 PRODUCTION OF DOCUMENTS BY
 CHERNISS AND CDCR**

Judge: Honorable Edmund F. Brennan
 Trial Date: February 24, 2020
 Action Filed: January 5, 2011

21 Plaintiff withdraws the pending motion to compel (ECF 300). The parties and CDCR
 22 stipulate to the following agreement.

23 Documents produced on July 11, 2019, and any subsequent productions relating to the July
 24 11, 2019 production, pertain to an ongoing personnel investigation involving Defendant Cherniss,
 25 which is confidential. Plaintiff’s counsel agrees not to contact or depose any persons named in the
 26 documents, such as witnesses, or those persons involved in the investigatory process—for any
 27 purpose—until defense counsel notifies Plaintiff’s counsel that the investigation is complete or
 28 November 12, 2019, whichever is earlier. In exchange, CDCR and Defendants will immediately

1 produce responsive documents in their possession, custody, or control, and will supplement their
2 production as additional responsive documents become available.

3 CDCR and Defendants may designate as “CONFIDENTIAL” any information they believe
4 qualifies as “Protected Material” as defined in the parties’ stipulated protective order, section
5 2.11. (ECF No. 222 at 3:7-8.) The parties must follow the procedures set forth in the parties’
6 stipulated protective order, section 12.3, concerning filing of protected documents under seal,
7 should they file any of the Protected Material with the Court. (ECF No. 222 at 11:4-13.)

8
9 DATED: August 22, 2019

Respectfully submitted,

10 XAVIER BECERRA
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11 WILLIAM MCCASLIN
Deputy Attorney General
12 SARAH M. BRATTIN
Deputy Attorney General

13 */s/ R. Lawrence Bragg*

14 R. LAWRENCE BRAGG
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15 *Attorneys for Defendants C. Cherniss and*
16 *L. Lesane*


17
18 */s/ Jason R. German*
(as authorized on August 20, 2019)

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Pursuant to the stipulation above, it is so ORDERED.

Dated: August 22, 2019


EDMUND F. BRENNAN
United States Magistrate Judge

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