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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SSA MARINE TERMINALS, INC., et al.,
Plaintiffs,
v.
INUI STEAMSHIP CO. LTD., et al.,
Defendants.

No. 2:11-cv-0515 TLN CKD

ORDER

Defendant’s motion to compel production of documents came on regularly for hearing January 8, 2014. David Russo appeared for plaintiff SSA Marine Terminals and Homport Insurance Co., Inc. No appearance was made for plaintiff Ambriz. Kevin Baldwin appeared for defendants. Upon review of the documents in support and opposition, upon hearing the arguments of counsel, and good cause appearing therefor, THE COURT FINDS AND ORDERS AS FOLLOWS:

1. The motion to compel (ECF No. 31) is granted. Responsive documents shall be produced within seven days, including photographs taken of the alleged accident site and any logs pertaining to OSHA mandated inspections of the crane at issue in this litigation. Plaintiff SSA Marine Terminals shall also provide a statement, under penalty of perjury, describing the search undertaken to locate responsive documents, including color photographs. Said statement shall also include a description of plaintiff’s policy for the routine maintenance and destruction of

1 business records, including its custom and practice for maintaining documents relevant to claims
2 for injury incurred by its employees. Plaintiff is cautioned that failure to provide responsive
3 documents could result in the imposition of evidentiary sanctions for spoliation.

4 2. After receipt and review of the responsive documents, defendants are allowed, but not
5 required, to further depose J. Tinsley and the other two longshoremen deposed on December 12,
6 2013.

7 3. Reasonable expenses are awarded to defendants against plaintiff SSA Marine
8 Terminals in the amount of \$1,137.50. Plaintiff SSA Marine Terminals shall tender the funds to
9 defendants within seven (7) days.

10 Dated: January 9, 2014



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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