

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERTO HERRERA,

No. 2:12-cv-0508 KJM DAD P

**Petitioner,**

## ORDER

CONNIE GIPSON,

## Respondent.

Respondent's motion for discovery came on regularly for hearing on December 12, 2014 at 10:00 a.m. in the courtroom of the undersigned. Attorney Michael Bigelow appeared for petitioner. Deputy Attorney General Kay Lauterbach appeared for respondent. Upon review of the motion for discovery, upon hearing the arguments of counsel, and good cause appearing therefor, THE COURT HEREBY ORDERS that:

1 Respondent's motion for discovery is granted.

2. Petitioner's counsel shall respond to respondent's interrogatories and requests for production of documents by January 12, 2015, by producing the requested discovery or asserting a privilege;

3. If petitioner declines to produce any of the requested discovery on the basis of privilege, he shall explain the basis for the assertion of privilege in a brief to be filed by January 12, 2015;

1           4. Respondent may file a reply to petitioner's assertion of privilege, if any, by January 20,  
2 2015.

3           5. A status conference will be held on January 26, 2015, at 10:00 a.m. in courtroom No.  
4 27 with respect to the state of discovery in this matter. Whether any depositions will be allowed  
5 prior to an evidentiary hearing shall be discussed at that conference; and

6           6. The evidentiary hearing scheduled in this matter on January 26, 2015, is vacated.

7 Dated: December 15, 2014

8           Dale A. Drozd  
9           DALE A. DROZD  
10           UNITED STATES MAGISTRATE JUDGE

11 DAD:8  
12 Herrera508.oah1

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28