

1 training reports of the individual defendants. Defendants CDCR and HDSP initially objected to
2 each subject request. See ECF No. 61, Exs. A, B. However, on March 23, 2015, in response to
3 plaintiff’s motion, defendants filed a “Statement of Non-Opposition to Motion to Compel (ECF
4 No. 61),” wherein they state that they will provide the requested documents in redacted form,
5 ECF No. 65 at 2:

6 In light of the reasons stated in the Motion to Compel (ECF No.
7 61), Defendants CDCR and HDSP do not oppose this Motion to
8 Compel and agree to produce redacted copies of the I.S.T.
 Transcripts of Defendants Hanna, Owens, Gricewich, Wilson,
 Garcia, and Rivas.

9 Plaintiff did not reply to defendants’ response, which reasonably supports an inference
10 that plaintiff is satisfied with it. Defendants’ description of the subject documents (correctional
11 officer training materials and records) indicates that there are valid reasons for their limited
12 redaction. However, because defendants have not specified that they have already produced the
13 redacted copies, including the records for defendant Payne,¹ they will be ordered to do so.

14 Pursuant to his second motion, also filed February 27, 2015, plaintiff moves for a court
15 order that deems admitted each of plaintiff’s First Requests for Admission served on HDSP on
16 November 11, 2014. ECF No. 62. Plaintiff challenged HDSP’s objections to the requests served
17 December 29, 2014. However, after the court extended discovery, by order filed December 30,
18 2014, HDSP served substantive responses to the requests, on March 22, 2015, subject to its
19 previously-stated objections. See ECF No. 64, Ex. B.

20 Plaintiff has not replied to defendants’ response to this motion, which reasonably supports
21 an inference that plaintiff is satisfied with defendants’ responses to his Requests for Admission.
22 Therefore, this motion will be denied without prejudice as moot. The secondary matters raised in
23 the motion – challenging defendants’ affirmative defenses and suggestion that they may seek to
24 file an amended answer – are premature and therefore denied without prejudice.

25 ///
26 ///
27 _____
28 ¹ Defendant Payne’s name is missing from defendants’ response, without explanation; review of
the docket and the parties’ filings fails to indicate a reason why his records should be excluded.

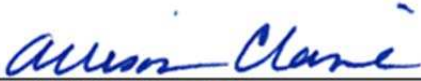
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to compel further production of documents, ECF No. 61, is granted; if defendants CDCR and HDSP have not already done so, they shall, within fourteen days after the filing date of this order, produce appropriately redacted copies of the I.S.T. Transcripts of defendants Hanna, Owens, Gricewich, Wilson, Garcia, Rivas and Payne.

2. Plaintiff's motion for a court order, ECF No. 62, is denied without prejudice as moot; the additional matters raised in plaintiff's motion are denied without prejudice.

DATED: April 6, 2015



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE