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19 Attorneys for Defendants

20 UNITED STATES DISTRICT COURT

21 EASTERN DISTRICT OF CALIFORNIA

22 SACRAMENTO DIVISION

23 JUAN ANTONIO RUIZ, JR., et al.,

24 Plaintiffs,

25 vs.

26 CITY OF STOCKTON, et al.,

27 Defendants.

Case No. 2:14-cv-00926-MCE-KJN

**STIPULATED AGREEMENT
RE PRODUCTION OF "PERSONNEL
RECORDS"; ORDER**

28 **INTRODUCTION**

On October 1, 2014, Plaintiff Juan Antonio Ruiz, Jr. served Defendants City of Stockton, City of Stockton Police Department, Eric Jones, Alejandro Guerrero, and Thomas Quinones (collectively, "Defendants") with Requests for Production of Documents, Set One. On November 24, 2014, Defendants responded to the discovery requests but withheld production of all "personnel records" implicated by Plaintiff Juan Antonio Ruiz, Jr.'s discovery requested.

1 Following meet and confer efforts between the parties' counsel, the following stipulated
2 agreement has been reached.

3 **STIPULATION**

4 1. Defendants agree to provide Plaintiffs with all documents responsive to Plaintiff Juan
5 Antonio Ruiz, Jr.'s Request for Production of Documents, Set One, subject to any attorney-client
6 privileged information and/or information protected under the work-product doctrine.

7 2. These documents will be specially-designated, and may only be disclosed to counsel,
8 parties, and experts within this litigation.

9 3. If Plaintiffs intend to disclose these specially-designated documents to anyone outside of
10 the litigation, Plaintiffs' counsel will notify Defendants' counsel as to the particular document(s) they
11 intend to disclose.

12 4. In response, Defendants' counsel will determine whether or not to seek a protective order,
13 pursuant to Federal Rule of Civil Procedure 26(c), regarding the particular document(s). Defendants'
14 counsel will advise Plaintiffs' counsel and file a motion for protective order within five (5) calendar days
15 after Plaintiffs' counsel provides notification, if Defendants' counsel intends to subject the document(s)
16 to court-ordered protection.

17 5. If Plaintiffs' counsel does not receive notification from Defendants' counsel regarding
18 intent to seek a protective order within five (5) calendar days, the document(s) is no longer subject to this
19 stipulated agreement and Plaintiffs' counsel may distribute the document(s) without limitation.

20 6. After Plaintiffs' counsel has provided Defendants' counsel notification of intent to
21 distribute a document(s), Plaintiffs' counsel agrees that if Defendants' counsel informs Plaintiffs' counsel
22 that a protective order will be sought within five (5) calendar days and files a motion for protective order,
23 Plaintiffs' counsel will not distribute the document(s) at issue until after the Court has issued a ruling
24 regarding whether the document(s) is properly subject to protection under Federal Rule of Civil
25 Procedure 26(c).
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Dated: December 8, 2014

Respectfully Submitted,
LAW OFFICE OF MARK E. MERIN

/s/ Mark E. Merin

By: _____
Mark E. Merin

Attorney for Plaintiffs

Dated: December 8, 2014

Respectfully Submitted,
CITY OF STOCKTON

/s/ Neal C. Lutterman
(as authorized on December 8, 2014)

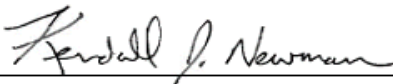
By: _____
Neal C. Lutterman

Attorney for Defendants

1 **ORDER**

2 IT IS SO ORDERED. Additionally, the parties are ordered to meet and confer in good faith
3 (either in person, or at a minimum, by telephone) prior to the filing of a motion for a protective order.
4 The court expects the parties to stipulate to a reasonable extension(s) of the five-day period to file a
5 motion for a protective order, contemplated above, should it prove necessary to exhaust good faith
6 informal meet-and-confer efforts.

7 Dated: December 9, 2014

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10 KENDALL J. NEWMAN
11 UNITED STATES MAGISTRATE JUDGE
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