

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

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TAN LAM, et al.,  
  
  Plaintiffs,  
  
  v.  
  
CITY OF LOS BANOS, et al.,  
  
  Defendants.

No. 2:15-cv-531-MCE-KJN

ORDER

On April 25, 2016, the court conducted an informal telephonic discovery conference in this matter. At the conference, attorney Melissa Nold appeared on behalf of plaintiffs, and attorney Philip Downs appeared on behalf of defendants. For the reasons discussed with the parties at that conference, IT IS HEREBY ORDERED that:

1. Plaintiffs’ request to compel defendants to produce the written request and signed HIPPA release submitted to the VA to obtain defendant Acosta’s medical records is DENIED, particularly in light of the fact that defendant Acosta apparently obtained his VA pre-incident records not in response to that written request, but instead upon making an in-person, verbal request for such records. If plaintiffs’ counsel believes that certain responsive records (consistent with the court’s March 18, 2016 minute order) are missing and should be produced, plaintiffs’ counsel shall further meet and

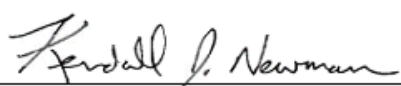
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

confer with defendants' counsel regarding the specific records/pages at issue.

2. With no objection by defendants as to the depositions being conducted, the court specifically authorizes the depositions of the following of defendant Acosta's treating providers as unretained expert witnesses designated by plaintiffs: (1) Gobi Kasturi, M.D.; (2) Joseph Shuman, Psy.D.; (3) Soad Khalifa, M.D.; (4) Lydia Duarte, LCSW; and (5) Mary Jimenez, NP. Plaintiffs are authorized to issue subpoenas for their depositions, subject to reasonable meet-and-confer with defendants' counsel and the witnesses as to available dates. A copy of this order shall be attached to each subpoena.

IT IS SO ORDERED.

Dated: April 26, 2016

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE