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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ARMANDO RAMOS,)	Case No. 2:16-CV-01941-JAM-EFB
)	
Plaintiff,)	[PROPOSED] ORDER GRANTING
)	PLAINTIFF’S MOTION TO COMPEL
vs.)	PRODUCTION OF THE MELISSA
)	PHUNG INVESTIGATIVE REPORT
WILLIAMS UNIFIED SCHOOL)	AND FILE AND THE MAY 15, 2013
DISTRICT, and DOES 1 through 10,)	JUDITH ROSSI MEMORANDUM AND
inclusive,)	ORDER OF SANCTIONS FOR
)	FAILURE TO APPEAR
Defendant)	
_____)	

Plaintiff Armando Ramos (“Ramos”) filed a Motion to Compel which was set to be heard on August 9, 2017. Defendant Williams Unified School District (“the District”) failed to appear and as a result the Court issued an Order to Show Good Cause to Defendant why sanctions should not be ordered for the District’s failure to appear. The hearing on the Order to Show Cause and the Motion to Compel were set for August 16, 2017.

On August 16, 2017 this matter came on for hearing with James Ward representing Defendant the District and Jill P. Telfer representing Plaintiff Ramos. After considering the parties’ papers and argument of counsel and all other matters presented to the Court, the Court determined there was not good cause for Defendant’s failure to attend the hearing that was scheduled for August 9, 2017 and as a result has ordered sanctions to be paid to the Law Offices of Jill P. Telfer in the sum of \$450.

As it relates to the underlying Motion to Compel, there being no opposition to the

1 production of the Melissa Phung investigative report and file, the Court hereby orders
2 Defendant to produce said documents no later than the close of business on Friday August 18,
3 2017.

4 As to the May 15, 2013 Memo to Confidential File regarding Armando Ramos's Return
5 to Work, the Court has determined that the privilege is waived pursuant to the factors
6 articulated in *Burlington Northern and Santa Fe Railway Company v. United States Dist. Court*
7 408 F3d 1142, 1149 (9th Cir. 2005) for the reasons stated on the record. Defense counsel
8 agreed to produce the document to Plaintiff at the conclusion of the hearing on August 16,
9 2017.

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IT IS HEREBY ORDERED.

Dated: August 30, 2017.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE