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 16 **UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF**
 17 **CALIFORNIA**

18 T.S. by and through their next friend JERAMIE
 19 STRUTHERS; J.M.B. and J.E.B., by and
 20 through their next friend JAMES BRANDT;
 21 E.A., by and through their next friend HAZEL
 22 BRANDT; C.K. by and through their next
 friend TERESA HILL; and G.K. by and through
 their next friend LESLIANN JONES and all
 others similarly situated,

Case No. 2:17-cv-0489-TLN-EFB

**[PROPOSED] ORDER FOR PARTIES'
 JOINT STATEMENT RE DISCOVERY
 DISAGREEMENT**

23 Plaintiffs,
 24 vs.

25 RED BLUFF JOINT UNION HIGH SCHOOL
 26 DISTRICT,
 Defendant.

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 28
 Case No. 2:17-cv-0489-TLN-
 EFB

1 Plaintiffs have filed a putative civil rights class action on behalf of “all present and future
2 Red Bluff High School female students and potential students who participate, seek to
3 participate, and/or are or were deterred from participating in athletics at Red Bluff High School.”
4 Second Amended Complaint (“SAC”), Dkt. No. 12, ¶16. Plaintiffs’ action seeks to remedy
5 Defendant’s alleged ongoing violations of Title IX of the Education Amendments of 1972 (“Title
6 IX”). The claim for relief primarily at issue in this discovery dispute is Plaintiffs’ First Claim for
7 Relief for Defendant’s Unequal Provision of Treatment and Benefits in the Red Bluff High
8 School Athletics Program. Dkt. No. 12, ¶¶ 103-111 (“Equal Treatment and Benefits Claim”).
9 Plaintiffs’ SAC alleged “Defendant failed to provide equitable athletic treatment and benefits at
10 Red Bluff High School as to female students in comparison to male students” (SAC ¶ 35), as to
11 an array of athletic program components, thus requiring an overall athletic programmatic
12 analysis to determine the impact of alleged inequities on Plaintiffs and the putative class.

13 On May 12, 2017, Plaintiffs served via mail and email, their Request for Site Inspection
14 (“Notice”) (Dkt. No. 16, Ex. 2) requesting to inspect athletic facilities and related amenities at
15 Defendant’s public high school. On May 19, 2017, Defendant served via email, Defendant’s
16 Response/Objections (Dkt. No. 16, Ex. 3) endeavoring to limit the scope and manner of
17 Plaintiffs’ site inspection.


18 On June 7, 2017, the Parties’ submitted a Joint Statement regarding their Discovery
19 Disagreement (Dkt. No. 16) regarding three issues: (1) the scope of the on-site facilities to be
20 inspected for the Site Inspection; (2) limitations on the manner of the Site Inspection; and (3) the
21 attendance of Plaintiffs’ team at the Site Inspection. The matter came for hearing before this
22 Court on June 14, 2017.

23 Based upon the Joint Statement and oral argument regarding the Discovery
24 Disagreement, the Court hereby grants Plaintiffs permission to conduct the Site Inspection as set
25 out in the Notice and as follows: (1) Plaintiffs are permitted to conduct the Site Inspection of all
26 on-site athletic facilities and related amenities at Red Bluff High School as the scope of
27 Plaintiffs’ Notice is appropriate and proportional in light of the allegations of the SAC; (2)
28 Plaintiffs are permitted to measure and count athletic facilities and related amenities at Red Bluff

1 High School; and (3) Plaintiffs are permitted to bring, as requested, four (4) attorneys, their
2 expert, and Plaintiffs' representatives to attend and aid in conducting the Site Inspection.

3 IT IS SO ORDERED

4 Dated: June 27, 2017.

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6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE

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