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 8 BREANNA ADAMS

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

12	CHERYL CRUZ, et al.,)	Case No.: 2:17-CV-01628-MCE-EFB
)	
13	Plaintiffs,)	SUMMARY PROPOSED ORDER RE
)	PLAINTIFF’S MOTION TO QUASH
14	vs.)	(ECF No. 12)
)	
15	CITY OF ROCKLIN, et al.,)	
)	
16	Defendants.)	
)	
17)	
18)	

19
 20 On March 21, 2018, a hearing on Plaintiff’s Motion to Quash (ECF No. 12) was held
 21 before Magistrate Judge Edmund F. Brennan.

22 The issue before the Court was whether Defendants’ subpoenas for Lorenzo Cruz’s
 23 psychiatric/mental health records should be quashed because they violate Lorenzo Cruz’s right to
 24 psychotherapist/patient confidentiality.

25 Kellan Patterson appeared telephonically for Plaintiff.

26 Derick Konz appeared for Defendants.

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1 After reviewing the moving papers and hearing oral argument, IT IS HEREBY
2 ORDERED that Plaintiff's motion to quash (ECF No. 12) is DENIED in part and GRANTED in
3 part, as follows:

4 Defendants are entitled to obtain the psychiatric/mental health records of Lorenzo Cruz
5 via subpoena to his healthcare providers. However, the scope is limited to records with dates of
6 service within the following timeframes:

- 7
- 8 1) Dates of service from **May 11, 2009–May 11, 2010** (inclusive); i.e., within 6
9 months of Plaintiff's November 11, 2009 arrest; and
- 10 2) Dates of service from **February 25, 2014–February 25, 2017** (inclusive); i.e.,
11 within three years of the date of the incident out of which the above-entitled
12 action arises.
- 13

14 WHEREFORE, Lorenzo Cruz's healthcare providers are hereby ORDERED to produce,
15 in response to subpoena from Defense counsel in the above entitled action, all
16 psychological/mental health records of Lorenzo Cruz with dates of service between May 11,
17 2009 to May 11, 2010 (inclusive) and February 25, 2014 to February 25, 2017 (inclusive).

18
19 **IT IS SO ORDERED.**

20 Dated: March 28, 2018.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE