

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

TYRONE DOUTHERD,  
Plaintiff,  
v.  
DORIS MARIE MONTESDEOCA, et al.,  
Defendants.

No. 2:17-cv-2225-MCE-EFB

ORDER AFTER HEARING

This case was before the court on December 19, 2018, for hearing on defendant UPS Ground Freight, Inc.’s (“UPS”) motion to compel plaintiff to provide further responses to discovery requests. ECF No. 57. Attorney Karen Evans appeared on behalf of defendant UPS, and attorney Ellen Dove appeared on behalf of plaintiff.

For the reasons stated on the record, the motion is granted in part and denied in part as follows:

1. The motion is granted as to UPS’s request for plaintiff to supplement his initial disclosures to include a computation of damages. By no later than January 9, 2019, plaintiff shall provide UPS with a computation of damages and produce all documents supporting that computation.

////

////

1           2. The motion is granted in part as to Requests for Production of Documents 1-8, 11-12,  
2 14-15, 18, 20, 36-38, 40, 45, 47-49, 52, 55, 62, 66-67, 73, 75, 76, 78, 85, 90-92, 94, 95, 98-99,  
3 and 103-104. By no later than January 9, 2019, plaintiff shall serve UPSF with a verification,  
4 signed under penalty of perjury, stating that a reasonable search for documents has been  
5 conducted and that no responsive documents were found or that all responsive documents have  
6 been produced.

7           3. The motion is granted in part as to Requests for Production of Documents Numbers 16  
8 and 96. The parties shall meet and confer regarding the specific documents/information plaintiff  
9 has yet to produce, and plaintiff shall produce the outstanding discovery, including metadata for  
10 electronic or digital photos, by January 9, 2019.

11           4. The motion is granted as to Requests for Production of Documents Numbers 69 and  
12 70, subject to the procedure stated on the record for exchanging the requested documents.

13           5. The motion is granted as to Requests for Production of Documents Numbers 87 and  
14 89. Plaintiff shall produce all documents responsive to these requests by January 9, 2019.  
15 Plaintiff shall also produce a verification, signed under penalty of perjury, describing the search  
16 conducted and stating that all responsive documents have been produced or that no responsive  
17 documents were found.

18           6. The motion is granted as to Interrogatory Number 3. Plaintiff shall supplement his  
19 response to identify all documents<sup>1</sup> he has in his possession related to his arbitration with Kaiser.

20           7. The motion is granted as to Interrogatory Number 14. The parties shall meet and  
21 confer to establish a procedure to assist plaintiff in providing the requested information.

22           8. The balance of the motion is denied.

23 DATED: December 21, 2018.

24   
25 EDMUND F. BRENNAN  
26 UNITED STATES MAGISTRATE JUDGE  
27

28 

---

<sup>1</sup> Alternatively, plaintiff may produce the documents.