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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARLOS CASTRO,

Plaintiff,

No. C 98-04877 WHA

v.

CAL TERHUNE, Director, California  
Department of Corrections, BONNIE G.  
GARIBAY, J. BATCHELOR, S.C.  
WOLHWEND, A. SCRIBNER, J. STOKES,  
M. YARBOROUGH, L. HOOD, C.  
CAMPBELL, A.M. GONZALEZ, M.  
AYALA, E. DERUSHA, c/o ROBERT L.  
AYERS, Warden, and J. MARTINEZ,

Defendants.

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**ORDER REGARDING  
PRIVILEGE CLAIM**

A hearing on plaintiff's motion to compel production of documents was held June 19, 2009. A subsequent order granted in part plaintiff's motion to compel (Dkt. No. 105). The order also directed defendants to submit, for *in camera* review, the confidential items used to validate plaintiff as a prison gang associate regarding which defendants assert the official-information privilege. *See Sanchez v. City of Santa Ana*, 936 F.2d 1027, 1033 (9th Cir. 1990).

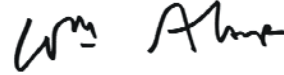
Defendants have now submitted the documents at issue for *in camera* review. Upon review of the documents, this order finds that the privilege claim will be accepted in part and rejected in part. Defendants are ordered to produce, under the protective order, pages ten and eleven of the document regarding which they assert the privilege (*i.e.*, the two pages of particular relevance). Defendants shall redact all names and associated identifying information of all individual other than plaintiff on the document. The production will be for attorneys only;

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each page produced should so indicate. The production will be treated as confidential and for attorneys eyes only without further order of the Court.

**IT IS SO ORDERED.**

Dated: July 10, 2009.



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE