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4 IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 DELPHINE ALLEN, et al.,

9 Plaintiffs,

10 v.

11 CITY OF OAKLAND, et al.,

12 Defendants.  
13MASTER CASE FILE  
NO. C00-4599 TEHORDER RE: DEFENDANTS'  
ELECTRONIC MAIL SYSTEM

14 On October 13, 2012, the Monitor emailed Chief of Police Howard Jordan with an  
15 inquiry from the Court concerning issues relevant to disciplinary recommendations. The  
16 Monitor sent a follow-up email to the Chief on October 17, 2012. This afternoon, the Chief  
17 explained to the Monitor by telephone that he never received either email and subsequently  
18 stated that he searched his email account again and still could not locate the emails. The  
19 Chief explained that, to his knowledge, he received all other emails that were sent to him  
20 during this timeframe.

21 Given the importance of the issues in this case – especially at this critical juncture,  
22 when a motion is before the Court to appoint a receiver due to Defendants' dysfunction and  
23 inability to complete the reforms they agreed to implement nearly ten years ago – IT IS  
24 HEREBY ORDERED that Defendants shall investigate the integrity of their electronic mail  
25 system to confirm that there are no known current or anticipated issues with incoming or  
26 outgoing email traffic. Defendants shall file a response to this order on or before  
27 **October 26, 2012**. If Defendants are unable to verify the integrity of their electronic mail  
28 system, or if this situation arises again, then the Court will consider requiring Defendants to

1 develop a system by which receipt of the Monitor's communications is contemporaneously  
2 acknowledged.

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4 **IT IS SO ORDERED.**

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6 Dated: 10/18/12



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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

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