

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIASPPI-SOMERSVILLE, INC. AND
SOMMERSVILLE-GENTRY, INC.,No. C 04-2648 SI
No. C 04-2225 SI

Plaintiffs,

ORDER RE: DISCOVERY DISPUTES

v.

TRC COMPANIES, INC., *et al.*,

Defendants.

WEST COAST HOMEBUILDERS, INC.,

Plaintiff,

v.

AVENTIS CROPSOURCE USA, INC., et al.,

Defendants.

At the case management conference in these related cases on July 7, 2009, the following orders were issued on pending discovery disputes:

1. 04-2648 - Docket No. 283 : Re: plaintiffs' motion to compel defendants Contra Costa Waste Service, Inc., Estate of Silvio Garaventa, Sr., Mary Garaventa, Silvio Garaventa, Jr., Pittsburg Disposal & Debris Box Service, Inc., and City of Pittsburg to respond to plaintiffs' interrogatories: Motion is GRANTED; objections have been waived and answers must be provided by July 17, 2009.

2. 04-2648 - Docket Nos. 287 and 289 : Re: plaintiffs' and Antioch's motion to compel

Chevron to produce a FRCP 30(b)(6) witness fully prepared to testify regarding Chevron's search for and existence of documents: Motion is GRANTED; parties to agree on date for deposition. Re: Plaintiffs' motion to compel Chevron to provide amended responses to plaintiffs' interrogatories: Motion is GRANTED; pursuant to FRCP 36(a)(4)(4), Chevron "may assert lack of knowledge or information as a reason for failing to admit or deny only if [it] states that it has made reasonable inquiry and that the information it knows or can readily obtain is insufficient to enable it to admit or deny." Amended responses are to be provided by July 17, 2009.

3. 04-2225 - Docket No. 161 : Re TRC's motion to compel plaintiff West Coast Home Builders to produce FRCP 30(b)(6) witnesses: Motion is GRANTED as to Topic 9; motion is DENIED as to Topics 10, 11 and 12. Parties are to agree on dates.

4. 04-2648, Docket 285 and 04-2225, Docket No. 162 : Re: plaintiffs' motion to compel "Generator Defendants" to respond to written discovery and produce documents: Motion is GRANTED. Generator Defendants may provide combined responses where appropriate. Responses are to be provided no later than July 31, 2009, and earlier where possible.

5. Both cases - expert depositions :

Re: documents: Each expert being deposed shall produce previously unproduced documents and other materials used in the course of preparing and forming his/her expert opinions to all counsel by 12:00 p.m. on the second business day prior to his/her deposition. In addition, each expert should produce her/her complete file at the deposition, provided that such records as exist only in electronic form may be brought to the deposition in electronic form.

Re: non-retained experts: Non-retained experts Padgett, Wilson and Torres-Muga must be made available for deposition. Withdrawn expert Lazdowski and third party witness Cook need not be produced for expert depositions.

Other provisions concerning the timing of expert witness depositions and the filing dates for dispositive motions, discussed at the case management conference, are reflected in the minutes of that

conference being filed concurrently.

IT IS SO ORDERED.

Dated: July 8, 2009



SUSAN ILLSTON
United States District Judge