

1
2 UNITED STATES DISTRICT COURT
3 Northern District of California
4

5 DENISE SCHMIDT,

6 Plaintiff,

No. C 05-197 VRW (MEJ)

7 v.

8 CONTRA COSTA COUNTY, KEN TORRE,
9 THOMAS MADDOCK, LAUREL BRADY,
10 LOIS HAIGHT, and BARRY BASKIN,

**ORDER RE CONTRA COSTA
SUPERIOR COURT SUBPOENA
(DKT. #170)**

11 Defendants.
12 _____/

13 The Court is in receipt of Plaintiff's letter regarding a subpoena she served on the Contra
14 Costa Superior Court. (Dkt. #170.) In her letter, Plaintiff states that the superior court has refused
15 to comply with the subpoena request for documents and asks that the Court set a briefing and
16 hearing schedule for a motion to compel. Plaintiff states that the undersigned magistrate judge
17 previously ruled that the discovery cut-off date "would not be an obstacle" in seeking records past
18 the cut-off date set by the Honorable Vaughn R. Walker, the presiding judge in this matter. Plaintiff
19 refers to a previous order denying her request to compel Defendant Ken Torre to produce documents
20 from the superior court. (Dkt. #127.) In that order, the Court ruled that Plaintiff had failed to show
21 that an individual defendant is required to obtain documents from the superior court, and that the
22 proper procedure for obtaining the records is to subpoena the documents directly from the court.
23 However, the order did not grant Plaintiff permission to seek discovery past the cut-off date. As
24 such a request is a case management issue, Plaintiff must seek leave from Judge Walker.
25 Accordingly, Plaintiff's request is denied without prejudice.

26 **IT IS SO ORDERED.**

27 Dated: July 29, 2010

28 _____
Maria-Elena James
Chief United States Magistrate Judge

