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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHARLIE EAP,	)	
	)	
Plaintiff(s),	)	No. C07-2301 SI (BZ)
	)	
v.	)	
	)	
UNITED STATES OF AMERICA, et	)	
al.,	)	
	)	
Defendant(s).	)	
<hr/>	)	
SUSAN WYCKOFF,	)	No. C07-3600 SI (BZ)
	)	
Plaintiff(s),	)	
	)	<b>NINTH DISCOVERY ORDER</b>
v.	)	
	)	
UNITED STATES OF AMERICA, et	)	
al.,	)	
	)	
Defendant(s).	)	
<hr/>	)	

By letter dated January 19, 2009 (Doc. 146 in Case No. 07-3600) plaintiff Wyckoff seeks to depose the government's IT specialists who attended a meet and confer session on January 14, 2009. By letter dated January 20, 2009 (Doc. 147 in Case No. 07-3600) the government opposes the request. Following a telephone conference on January 23, 2009, at which the parties

1 were represented by counsel, **IT IS HEREBY ORDERED** as follows:

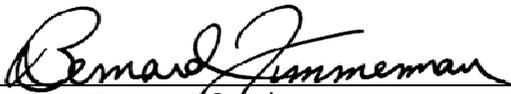
2 1. Plaintiff's request to depose the government's IT  
3 specialists is **DENIED**. I find no need for further argument or  
4 briefing.

5 2. If plaintiff believes that defendant United States of  
6 America has not produced all the discovery he sought,  
7 plaintiff is given leave to file a motion to compel discovery  
8 to be heard on the court's regular motion calendar.

9 Plaintiff's Civil Local Rule 37-2 statement shall be signed by  
10 the most senior attorney representing plaintiff. The court  
11 will deem that attorney's signature as certifying that the  
12 attorney has read the LR 37-2 statement and that the discovery  
13 sought is consistent with Federal Rules of Civil Procedure 1  
14 and 26, especially 26(b). Defendant's opposition shall be  
15 signed by the most senior attorney representing defendant.  
16 The court will deem that attorney's signature as certifying  
17 that the attorney has read the opposition and that the  
18 objections to discovery are consistent with Federal Rules of  
19 Civil Procedure 1 and 26, especially 26(b).

20 3. Unless Judge Illston orders otherwise, plaintiff shall  
21 file any spoliation motion by **April 1, 2009**. Defendants'  
22 opposition shall be filed no later than **April 17, 2009**.  
23 Plaintiff's reply shall be filed by **April 24, 2009**. A hearing  
24 is scheduled for **Wednesday, May 20, 2009 at 10:00 a.m.**, in  
25 Courtroom G, 15th Floor, Federal Building, 450 Golden Gate  
26 Avenue, San Francisco, California 94102.

27 Dated: January 26, 2009

28   
Bernard Zimmerman  
United States Magistrate Judge