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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHARLIE EAP,)
)
Plaintiff(s),)
)
v.)
)
UNITED STATES OF AMERICA, et)
al.,)
)
Defendant(s).)

No. C07-2301 SI (BZ)

SUSAN WYCKOFF,)
)
Plaintiff(s),)
)
v.)
)
UNITED STATES OF AMERICA, et)
al.,)
)
Defendant(s).)

No. C07-3600 SI (BZ)

FOURTH DISCOVERY ORDER

Following a telephone conference at which the parties were represented by counsel, **IT IS HEREBY ORDERED** as follows:

1. I find no need for further briefing on numbers 2, 3, 4 and 5 of this order.
2. All counsel are to read Rule 1 of the Federal Rules of Civil Procedure before doing anything further.
3. The depositions stipulated to during the telephone

1 conference on October 10, 2008 are to proceed as scheduled,
2 unless the parties stipulate otherwise.

3 4. Any outstanding discovery response which has not been
4 verified must be verified by **Friday, October 17, 2008**.

5 5. Any documents requested by plaintiffs which have not
6 yet been produced must be produced by **Friday, October 17,**
7 **2008**.

8 6. If, after **October 17, 2008**, plaintiffs are
9 unsatisfied with defendants' response, plaintiffs are given
10 leave to file a motion to compel.

11 7. By **October 16, 2008**, each interested party shall
12 submit two page letter briefs on the following two issues if
13 they have not been resolved:

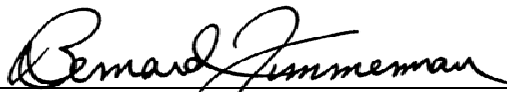
14 A. Whether a 30(b)(6) deposition with multiple
15 topics can count as more than one deposition?

16 B. Whether a party responding to a request for
17 production of documents has a duty to seek documents
18 from former employees.

19 A telephone conference to discuss these issues is
20 scheduled for **October 20, 2008 at 3:00 p.m.** Counsel shall
21 contact **CourtCall**, telephonic court appearances at **1-888-882-**
22 **6878**, and make arrangements for the telephonic conference
23 call.

24 8. Plaintiffs shall file their spoliation motion for
25 hearing on either **January 21, 2009** or **February 4, 2009**.

26 Dated: October 14, 2008



27 Bernard Zimmerman
28 United States Magistrate Judge