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CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Marcus Landry and Daniel Landry,

Plaintiffs,

vs.

City and County of San Francisco;  
Heather Fong; Frederick Schiff; Callaway,  
#360; McCall, #901; Palma, #841;  
Personal Protective Services; Pete  
Rodriguez; Rene Garcia; Pat Young; Jack  
Nyce; Garner, #186; K. McArthur; Wong,  
#2038; Mariano, #2191; Parker, #121;  
Cathey, #1090; Hallisy, #1794;  
Rodriguez, #1976; Jackson, #275, and  
Does 1 to 100,

Defendants.

Case No. C08-3791 SC (MEJ)

~~[PROPOSED]~~ ORDER TO COMPEL  
RESPONSES TO DISCOVERY AND  
AWARDING SANCTIONS

[MATTER TO BE REFERRED TO  
MAGISTRATE JUDGE]

Date Action Filed: July 25, 2008  
Trial Date: None Set

On November 11, 2009, defendant City and County of San Francisco ("CCSF") filed an administrative motion to compel plaintiffs to provide responses to certain interrogatories concerning plaintiffs' arrest history and criminal history, and to appear at deposition to respond to questions regarding the same. Having reviewed the parties' submissions and considered the relevant authorities, the Court hereby GRANTS defendants' administrative motion and orders as follows:

1           1.       Within fourteen (14) days of the date of this order, Plaintiffs shall each serve on  
2 Defendants complete responses to CCSF's interrogatories nos. 4 and 5 to Marcus Landry and CCSF's  
3 interrogatories nos. 4 and 5 to Daniel Landry. The interrogatory responses shall be verified.  
4 Plaintiffs shall not assert any objections to the interrogatories, because all such objections have been  
5 waived.

6           2.       Plaintiffs Marcus Landry and Daniel Landry shall appear for depositions to answer  
7 questions regarding the subject areas raised in CCSF's discovery letter, including but not limited to:  
8 plaintiffs' history of arrests and detentions by police; plaintiffs' conviction history; Marcus Landry's  
9 gang affiliation (if any); the reasons Marcus Landry was on juvenile probation at the time of the  
10 incidents at issue; and the emotional impact of the detentions at issue in this case in comparison to  
11 prior arrests and convictions. Defendants shall send plaintiffs a copy of the invoices reflecting the  
12 costs of such depositions. Within seven (7) days of the date on which such invoices are sent to  
13 plaintiffs, plaintiffs shall reimburse CCSF for the full costs of such depositions as reflected in the  
14 invoices.

15           3.       Plaintiffs' counsel has unreasonably multiplied these proceedings by obstructing and  
16 delaying the deposition of Marcus Landry. Accordingly, plaintiff's counsel shall pay monetary  
17 sanctions in the amount of \$835.00 to CCSF. Such payment shall be sent payable to defendant City  
18 and County of San Francisco within fourteen days of the date of this Order.

19           4.       Plaintiffs' of plaintiffs' counsel's failure to timely comply with the provisions of this  
20 Order may result in further sanctions.

21           SO ORDERED.

22  
23           Dated:   December 28, 2009  
24           \_\_\_\_\_

  
25           \_\_\_\_\_  
26           MARIA ELENA JAMES  
27           UNITED STATES MAGISTRATE JUDGE  
28