

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**\*\*E-filed 10/25/2010\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CHARLES GILLIS, et al.,

No. C 08-3871 RS

Plaintiffs,

**ORDER GRANTING MOTION FOR  
PROTECTIVE ORDER**

v.

CITY AND COUNTY OF SAN  
FRANCISCO, et al.

Defendants.

Based on alleged prior conflicts between counsel for plaintiffs and members of the City Attorney's office in other litigation matters, defendants move for a protective order requiring that depositions in this action be held at City Hall or the courthouse, inside a security check point. Plaintiffs oppose, contending that the prior circumstances have been misrepresented, and that there has been no similar tension between counsel in this action in any event.

Without deciding whether there is any *objectively* reasonable concern on the part of the City Attorney's office to support the relief it seeks, it appears that it would minimize peripheral and unnecessary disputes, and facilitate resolution of the merits of this action, to require that depositions

1 take place in the courthouse. Plaintiffs have not identified any prejudice to them that would arise  
2 from such a requirement; indeed it may even save them some costs. Accordingly, good cause  
3 appearing, defendants' motion is granted. The parties shall contact the Courtroom Deputy to make  
4 arrangements to use the courtroom or an attorney conference room for depositions. No stigma shall  
5 attach to plaintiffs' counsel by virtue of entry of this order; the allegations made against him in this  
6 motion have not been found to have merit. The City Attorney's order shall not cite this order in any  
7 subsequent application it may make for similar relief against plaintiffs' counsel in any other action.

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS SO ORDERED.

Dated: October 25, 2010

  
\_\_\_\_\_  
RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE