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

CITY AND COUNTY OF SAN  
FRANCISCO, et al.,

Plaintiffs,

v.

UNITED STATES POSTAL SERVICE,  
et al.,

Defendants.

Civil Case No.: 3:09-cv-01964-RS (EDL)

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING UNITED  
STATES POSTAL SERVICE'S  
MOTION TO COMPEL DISCOVERY  
REQUIRED BY THE ALLEGATIONS  
IN THE COMPLAINT**

1 The United States Postal Service's ("Postal Service") Motion to Compel  
2 Discovery Required By The Allegations In The Complaint came on for hearing before  
3 Magistrate Elizabeth D. Laporte on April 19, 2011. After consideration of the arguments by  
4 counsel at the hearing, the Court requested the parties to prepare a stipulation and proposed  
5 order setting forth the Court's order granting in part and denying in part the Postal Service's  
6 motion.

7 1. Regarding Interrogatory Number 9, the Court grants in part and denies in  
8 part the motion as follows: each plaintiff will provide a list of the apartment buildings and SRO  
9 hotel buildings each plaintiff visited during the 9 month period before the filing of the complaint  
10 in this case for the blocks listed below. For plaintiff City and County of San Francisco, the  
11 response may be limited to properties visited by its Departments of Public Health and Building  
12 Inspection.

13 The blocks are: 600 block of Pacific, 700 block of Pacific, 400 block of  
14 Valencia, 500 block of South Van Ness, 1000 block of Howard, 100 block of 6<sup>th</sup> Street, 200  
15 block of Turk, and 400 block of Ellis.

16 2. Regarding Interrogatory Number 6, the Court grants in part and denies in  
17 part the motion as follows: plaintiffs' April 15<sup>th</sup> supplemental response will be revised to reflect  
18 it was served on behalf of all plaintiffs and verifications will be provided.

19 3. Regarding Interrogatories Number 4 and 5, the Court finds that the Postal  
20 Service knows the addresses of apartments and SRO hotels better than the City and County of  
21 San Francisco and on that basis denies that portion of the motion.

22 4. Regarding Interrogatories 8 and 10 to 25, the Court grants in part and  
23 denies in part the motion as follows: the plaintiffs' April 15<sup>th</sup> supplemental responses will be  
24 revised to reflect they were served on behalf of all plaintiffs and verifications will be provided.

25 5. Regarding the portion of the motion concerning the investigation  
26 plaintiffs conducted before they filed this complaint, the Court grants in part and denies in part  
27 the motion as follows:  
28

Regarding the documents, plaintiffs will disclose the documents and/or facts within the documents that do not contain attorney mental processes and/or provide a declaration under oath clarifying whether or not the facts and/or documents have been provided already. For any facts and documents not previously disclosed, but for which plaintiffs have ascertained that there is no possible way to provide the facts or documents in redacted form, plaintiffs will provide a declaration under oath with sufficient detail to enable the Postal Service to confirm the claim of attorney work product. For the documents that have not been produced, if plaintiffs determine that it is impossible to redact mental impressions of an attorney versus facts, the documents may be withheld but plaintiffs will have to provide an interrogatory response with the facts.

IT IS SO STIPULATED.

Dated: May 16, 2011

By: /s/  
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Kelly P. Finley  
COVINGTON BURLING LLP  
Attorneys for Plaintiffs  
CITY AND COUNTY OF SAN  
FRANCISCO, CENTRAL CITY SRO  
COLLABORATIVE, SAN  
FRANCISCO TENANTS UNION,  
and HOUSING RIGHTS  
COMMITTEE OF SAN FRANCISCO

Dated: May 16, 2011

By:     /s/      
Jonathan U. Lee  
U. S. ATTORNEY'S OFFICE  
Attorneys for Defendant  
UNITED STATES POSTAL  
SERVICE

PURSUANT TO STIPULATION, IT IS SO ORDERED.

May 18, 2011

ORDERED:  
  
 Hon. Elizabeth D. Laporte  
 U.S. MAGISTRATE JUDGE