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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN LANCASTER,  
Plaintiff,  
vs.  
CITY OF PLEASANTON; OFFICER TIM  
MARTENS; ALAMEDA COUNTY;  
DEPUTY SHERIFF RYAN SILCOCKS;  
LESLEY REGINA; LISA SECORD; LOUIS  
SECORD (aka TREY); and, DOES 1 through  
10, inclusive,  
Defendants.

Case No.: CV 12-5267- WHA

**~~PROPOSED~~**  
**ORDER AFTER DISCOVERY DISPUTE  
HEARING REGARDING PLAINTIFF'S  
FIRST SET OF REQUESTS TO  
PRODUCE PROPOUNDED TO  
DEFENDANT COUNTY OF ALAMEDA**

Complaint Filed: October 11, 2012  
First Amended Complaint Filed: 11/27/12

On May 29, 2013, at approximately 10:45 a.m., a hearing was held regarding a discovery dispute between plaintiff BRIAN LANCASTER and defendant COUNTY OF ALAMEDA, regarding plaintiff's Requests to Produce, Set One, propounded on defendant County.

Plaintiff BRIAN LANCASTER through his counsel filed a letter brief regarding this dispute with the court on May 24, 2013 (Dkt. No. 73) and defendant COUNTY OF ALAMEDA, through its counsel, filed a responsive brief on May 28, 2013 (Dkt. No.77.) The parties were ordered to participate in a 3-hour meet and confer conference in the court's jury assembly room starting at 8:00 a.m., which they did. Thereafter, no resolution having been reached, they appeared before the court at 10:45 a.m., whereupon the Court heard the arguments of counsel and ordered as follows:



1 for judgment on the pleadings to be filed by defendant RYAN SILCOCKS, per the court's order  
2 above, and pending the resolution of the motion for summary judgment to be filed by defendant  
3 OFFICER TIM MARTENS.

4 i. Request No. 10 -- The request is QUASHED as overbroad and vague.

5 j. Request No. 11 -- The request is QUASHED as overbroad.

6 k. Request No. 12 -- The request is QUASHED as overbroad.

7 l. Request No. 13 -- The request is QUASHED as overbroad.

8 m. Request No. 14 -- The request is QUASHED as overbroad.

9 n. Request No. 15 -- The request may proceed. The "three ring binder"  
10 mentioned in the request shall be produced by the County by no later than Friday, May 31, 2013  
11 by 5:00 pm.

12 o. Request No. 16 -- The request is QUASHED.

13 p. Request No. 17 -- This request is STAYED, pending resolution of the  
14 motion for judgment on the pleadings to be filed by defendant RYAN SILCOCKS, per the court's  
15 order above, and pending the resolution of the motion for summary judgment to be filed by  
16 defendant OFFICER TIM MARTENS.

17 q. Request No. 18 -- The request is QUASHED as overbroad.

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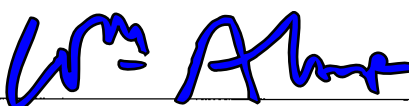
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1           4.       The Court reminds the parties that they are obliged to produce all information  
2 relevant to the 42 U.S.C. section 1983 claim against Officer Martens, which is based on his alleged  
3 planting of evidence in plaintiff Lancaster's car in conjunction with plaintiff's arrest on January  
4 16, 2012. If the Court is convinced that a legitimate request has been made that pertains to issues  
5 on summary judgment that was timely and reasonable but where compliance with that request was  
6 not full and complete, the motion will very likely be denied with no opportunity to cure.

7 IT IS SO ORDERED.

8 DATED: June 10, 2013

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10 By:   
11           WILLIAM ALSUP  
12           UNITED STATES DISTRICT  
13           JUDGE

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