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UNITED STATES DISTRICT COURT
Northern District of California

EDUARDO ENRIQUE ALEGRETT,

No. C 12-05538 MEJ

Plaintiff,

**ORDER SETTING DISCOVERY
HEARING**

v.

CITY AND COUNTY OF SAN FRANCISCO,
et al.,

Defendants.

On September 25, 2013, the parties in this action filed a joint discovery letter detailing a dispute regarding Plaintiff's Requests for Production of Documents to Defendant City and County of San Francisco, Set One, Request No. 30. Dkt. No. 38. The Court has reviewed the parties' letter and finds that a hearing on this issue is necessary.

Accordingly, the Court sets this matter for hearing on October 17, 2013, at 10:00 a.m. in Courtroom B.

In advance of the hearing, the Court issues the following questions which counsel should be prepared to address.

For Plaintiff:

1. Plaintiff's Request No. 30 seeks all documents imposing discipline on any SFPD officer following a finding by the Office of Citizen Complaints that a Citizen Complaint alleging excessive force was substantiated from 2007 to the present. Why are documents imposing discipline after the date of the incident giving rise to Plaintiff's claims (February 7, 2012) relevant?

For Defendant:

1. How many Citizen Complaints alleging excessive force has OCC sustained between 2007 and February 7, 2012?
2. For those complaints identified in question 1, how many resulted in disciplinary action?

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3. What is the SFPD's protocol for discipline following a finding by OCC that an excessive force complaint was substantiated? Particularly, does SFPD generate and maintain documents such as those sought by Plaintiff in Request No. 30?

4. Defendant relies on statements from Lt. Vaswani, which Defendant has also submitted in other lawsuits in this district. Has Defendant been ordered to produce similar documents in any other case involving a *Monell* claim?

IT IS SO ORDERED.

Dated: October 10, 2013



Maria-Elena James
United States Magistrate Judge