UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ROBIN LOVE,

Plaintiff(s),

v.

THE PERMANENTE MEDICAL GROUP,

Defendant(s).

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No. C-12-05679 DMR

ORDER FOR SUPPLEMENTAL BRIEFING FOR JOINT DISCOVERY LETTER [DOCKET NO. 58]

Before the court is the parties' joint discovery letter. [Docket No. 58.] The court hereby orders Plaintiff and Defendants to each submit by no later than **10 a.m. on August 5, 2013** supplemental briefing on the following issues: (1) whether federal privilege law applies to pendent state law claims in federal question cases, especially if the information sought is relevant only to the pendent state law claims; (2) whether the information over which Defendants assert peer review privilege is relevant *only* to pendent state law claims; and (3), assuming arguendo that state privilege law applies, whether the information over which Defendants assert peer review privilege actually falls within California's peer review privilege. Each brief is not to exceed **five double-spaced** pages. The parties should specifically address the Ninth Circuit's holding in *Agster v. Maricopa County*, 422 F.3d 836 (9th Cir. 2005) and any relevant subsequent case law in the Ninth Circuit.

IT IS SO ORDERED.

Dated: July 30, 2013

DONNA M. RYU
United States Magistrate Judge