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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES ELLIS JOHNSON,
Plaintiff,
v.
UNITED STATES OF AMERICA,
Defendant.

Case No. [13-cv-02405-JD](#)

**ORDER RE SUPPLEMENTAL
DISCOVERY**


Re: Dkt. Nos. 256, 263, 269

On March 16, 2016, the Court ordered San Francisco Deputy City Attorney Newton Oldfather, or another appropriate CCSF employee, to “file a declaration by March 23, 2016, explaining whether the photos produced to Mr. Johnson were altered or cropped in any way.” Dkt. No. 263 at 2. In response, Deputy City Attorney Margaret Baumgartner filed a declaration stating that “the photos provided to Plaintiff have not been altered or cropped.” Dkt. No. 269 ¶ 2. That is sufficient and the Court deems this issue to be closed.

The question about the number of photos of plaintiff James Johnson was not adequately answered. Attorney Baumgartner answered on “information and belief” about “photos provided to us by the Sheriff’s Department.” *Id.* ¶¶ 3, 4. This is not enough. The Court requires a statement from a person with knowledge in the Sheriff’s Department confirming that a copy of each and every photograph taken of Johnson on January 30, 2012 was provided to the San Francisco City Attorney’s Office. A deputy city attorney should then confirm that all of those photos were produced to Johnson. The declarations must be filed by Monday, April 4, 2016.

IT IS SO ORDERED.

Dated: March 28, 2016



JAMES DONATO
United States District Judge