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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 DENYING
RECONSIDERATION**

Re: Dkt. No. 282

Pro se plaintiff James Johnson asks the Court to reconsider its April 7, 2016 Order re Plaintiff's Trial Subpoenas. The request is denied.

In the April 7, 2016 Order, Dkt. No. 281, the Court denied Johnson's request to order the United States to accept trial subpoenas for 21 Veterans Administration employees. As the Court noted, this case involves a very specific single incident ending in Johnson's arrest and does not warrant 21 witnesses for the plaintiff's case, particularly when many of the witnesses do not seem at all related to the claims. The Court ordered defendant to make eight to nine witnesses of Johnson's reasonable choice available at trial.

In his current filing, plaintiff seeks reconsideration "on the number of witnesses plaintiff can subpoena for trial." Dkt. No. 282 at 1. Johnson misunderstands the Court's order, which only decided how many witnesses the Court would compel the United States to make available for trial without a properly served subpoena. Johnson's motion provides no grounds for reconsideration of that order, as it still provides no specific justification for any of the individual witnesses he wishes to call, just a blanket statement that "I need all of them to make my case." Dkt. No. 282 at 4. The Court denies the request for reconsideration.

The Court has advised Johnson on many occasions that the trial is limited to the January 30, 2012 arrest incident. It is unreasonable to call 21 witnesses to explain the events of that date

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and plaintiff's resulting injury. The Court has issued an order compelling defendant to make a reasonable number of witnesses available for trial. If Johnson wants the Court to compel more witnesses, he must specifically explain to the Court who they are, what relevant testimony he seeks from them, and why that testimony cannot be obtained from any other witness. Then the Court will consider the request.

IT IS SO ORDERED.

Dated: April 15, 2016



JAMES DONATO
United States District Judge