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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

J.F., a minor, by her Guardian ad Litem
CHERISE ABEL-IRBY,

No. C 13-03808 SI

ORDER RE DISCOVERY DISPUTE

Plaintiff,

v.

NEW HAVEN UNIFIED SCHOOL DISTRICT,
et al.,

Defendants.

Now pending before the Court is the parties' joint discovery letter. Dkt. No. 52. In the letter, defendants request an order requiring plaintiff to reveal the names of five student witnesses whose statements she has provided in her initial disclosures. Defendants further request that plaintiff execute the Stipulated Protective Order for Standard Litigation within five days of the Court's Order on this dispute. Plaintiff asks the Court for an order prohibiting defendants from retaliating against or singling out student witnesses, and prohibiting staff from releasing the students' identities.

DISCUSSION

By this discovery letter, defendants argue that, pursuant to Federal Rule of Civil Procedure 26(a)(1), plaintiff must disclose to them the names, addresses, and phone numbers of all individuals likely to have discoverable information. Defendants contend that plaintiff's disclosure of "5 student witnesses who do not currently wish to be identified" does not satisfy this Rule. Dkt. No. 52 at 2.

1 Plaintiff responds that the student witnesses have asked to remain anonymous at this time because they
2 fear retaliation due to their ongoing status as students at plaintiff's former school. *Id.* at 3.

3 Plaintiff has offered to reveal the names of the student witnesses to defendants' attorneys, subject
4 to a stipulation prohibiting counsel from disclosing their names to any of the defendants. *Id.* at 3-4. The
5 Court finds that this is an appropriate solution to this problem. Releasing the student witnesses' names
6 to defense counsel will permit them to continue to evaluate and investigate this case, while at the same
7 time protecting the minor witnesses.

8 Accordingly, the Court ORDERS the plaintiff to reveal the identities of the student witnesses
9 to counsel for defendants, subject to a stipulated protective order preventing counsel from sharing the
10 students' names with defendants. With regard to defendants' request that plaintiff execute the Stipulated
11 Protective Order for Standard Litigation, the Court GRANTS the request and ORDERS the parties to
12 execute the Stipulated Protective Order within five days of the date of this Order. Finally, with regard
13 to plaintiff's request for an order prohibiting defendants from retaliating against the student witnesses,
14 the Court finds that this request is premature and therefore it is DENIED without prejudice. This Order
15 resolves Docket No. 52.

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17 **IT IS SO ORDERED.**

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19 Dated: May 12, 2014

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22 SUSAN ILLSTON
23 UNITED STATES DISTRICT JUDGE
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