



1 Prior to the trial of this matter, the parties and Court agreed that redaction of personally  
2 identifying information from trial exhibits would be undertaken after the conclusion of the trial,  
3 once it had been determined which of those exhibits would actually be admitted into evidence.  
4 Pursuant to the Court's order of September 28, 2015 (Doc. No. 276), the parties have meet and  
5 conferred, and propose the following process to effect the redaction of the admitted exhibits:

6 1. By December 4, 2015, the parties shall provide the Court with versions of all  
7 admitted exhibits redacted of personal (as opposed to business) names, addresses, telephone  
8 numbers, email addresses, birth dates, drivers' license numbers, and passport numbers.

9 Additionally, all Social Security numbers and financial account numbers on the admitted exhibits  
10 will be redacted to show only their last four digits, consistent with Fed.R.Civ.P. 5.2(a)(1).

11 Plaintiff will provide redacted versions of Trial Exhibits 1, 2, 4, 8, 9, 10, 11, 68, 126, 127, 129,  
12 149, 225, 230, 234, 234A, 307, 310, 324, 371D, and 371F. CDCR will provide redacted versions  
13 of Trial Exhibits 174-221, 223-224, 371 and 380.

14 2. The Court shall substitute the redacted versions for the original exhibits, and seal  
15 the originals.

16 3. In the interests of creating a clear record for purposes of appeal, and consistent  
17 with its finding that the invalid SSN once used by the Plaintiff was not issued to anyone by the  
18 Social Security Administration until 2004 (Doc. No. 263, 4:12), the Court shall enter an order  
19 deeming that the five (or three) digits denoted by "xxx-xx," "x-xxxx", or "xxx" at Welch at RT  
20 307:24, 313:24, 314:14, 322:14-22, 323:1, and 336:4 are the same as the first five (or first three)  
21 digits of "xxx-xx-6544" where those appear in the admitted trial exhibits.<sup>1</sup>

22  
23 <sup>1</sup> As the Court will recall, Plaintiff offered the testimony of private investigator Kendall  
24 Welch to demonstrate that the invalid SSN (xxx-xx-6544) that the Plaintiff had used before he  
25 obtained his own SSN (Welch at RT 306:21) had not been issued by the Social Security  
26 Administration ("SSA") until March 2004 at the earliest. Welch at RT 305-12. As part of her  
27 testimony, Ms. Welch referred to a printout from the SSA's website, admitted into evidence as  
28 Trial Exhibit 24E, that listed the first five digits of the SSNs that had not been issued by the SSA  
until March 2004. One of the five-digit sequences listed on the website matched the first five  
digits of the invalid SSN that Plaintiff had previously used. Welch at RT 313:16-314:20. Since  
all SSNs appearing in admitted exhibits (including the invalid SSN) will be redacted of their first  
five digits, the proposed clarifying order of the Court is needed to indicate that the first five



1 **[PROPOSED] ORDER**

2 Good cause appearing, the stipulation of the parties concerning the redaction of  
3 personally identifying information from the exhibits admitted into evidence at trial is approved.

4 Accordingly:


5 1. By December 4, 2015, the parties shall provide the Court with versions of all  
6 admitted exhibits redacted of personal (as opposed to business) names, addresses, telephone  
7 numbers, email addresses, birth dates, drivers' license numbers, and passport numbers.  
8 Additionally, all Social Security numbers and financial account numbers on the admitted exhibits  
9 will be redacted to show only their last four digits, consistent with Fed.R.Civ.P. 5.2(a)(1).  
10 Plaintiff will provide redacted versions of Trial Exhibits 1, 2, 4, 8, 9, 10, 11, 68, 126, 127, 129,  
11 149, 225, 230, 234, 234A, 307, 310, 324, 371D, and 371F. CDCR will provide redacted versions  
12 of Trial Exhibits 174-221, 223-224, 371 and 380.

13 2. The Court shall substitute the redacted versions for the original exhibits, and seal  
14 the originals.

15 3. The five (or three) digits denoted by "xxx-xx," "x-xxxx", or "xxx" at Welch at RT  
16 307:24, 313:24, 314:14, 322:14-22, 323:1, and 336:4 are the same as the first five (or first three)  
17 digits of "xxx-xx-6544" where those appear in the admitted trial exhibits.

18 **SO ORDERED.**

19  
20  
21 Dated: October 8, 2015.

22   
23 WILLIAM ALSUP  
24 UNITED STATES DISTRICT JUDGE