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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STACIE PLUMMER,
Plaintiff,
v.
CITY OF RICHMOND, et al.,
Defendants.

Case No. 14-cv-03962-VC

ORDER RE DISCOVERY ISSUES

Re: 71, 72, 76, 78

The City has waived the attorney-client privilege with respect to the reports prepared by Sue Ann Van Dermeyden that were the subject of the press release. *See, e.g., Electro Scientific Indus. v. Gen. Scanning, Inc.*, 175 F.R.D. 539, 542-544 (N.D. Cal. 1997). The City is ordered to submit a copy of the reports within 7 days of the date of this order for in camera inspection after highlighting any text the City believes should be redacted for employee privacy reasons or because it is beyond the scope of the waiver. The parties may decide among themselves whether the reports should be the subject of a protective order; that decision will have no bearing on the Court's decision whether the documents should be filed under seal if they become part of the record in this case.

The City is ordered to inform the Court within 14 days of the date of this order how it is handling Mr. Herrera's motion. If necessary, the Court will rule on the issue after it receives the City's response.

The defendants' request for a protective order with respect to the Requests for Admission is granted. Because the position Plummer took in the dispute about the Requests for Admission was

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vexatious, she is ordered to pay the fees and costs the defendants incurred in litigating the dispute. The parties are ordered to meet and confer to determine the reasonable amount of fees and costs incurred. If the parties are unable to agree, the defendants should file a declaration within 7 days of the date of this order in support of their request. Plummer will have 4 days to respond, at which point the Court will issue a ruling.

IT IS SO ORDERED.

Dated: July 9, 2015



VINCE CHHABRIA
United States District Judge