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

OSMAN YOUSIF,

Plaintiff,

No. C 15-04887 WHA

v.

DEPUTY SHERIFFS DENNIS LOUBAL,  
DEFRANCE McLEMORE, and DOES  
1-100,

Defendants.

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**ORDER FOLLOWING  
DISCOVERY DISPUTE**

As stated at the hearing on defendants' discovery dispute, the defendants are granted the following relief:

- Plaintiff may not use as evidence any document that should have been produced in response to a reasonable document request by defendants under any circumstances at trial or on summary judgment.
- Plaintiff may not rely on any fact that should have been, but was not, set forth in a response to a reasonable interrogatory by defendants unless that fact was *clearly* set forth in his deposition.
- At trial, defense counsel will be allowed lay before the jury plaintiff's failure to cooperate in discovery, including cross-examination of plaintiff on this topic. If plaintiff attempts to deviate from the true facts of what occurred, the judge may interrupt to set the record straight. Possibly, the judge will instruct the jury on this point.

This is without prejudice to the possibility of further sanctions, including terminating sanctions, once the prejudicial effect of plaintiff's discovery misconduct becomes clearer.

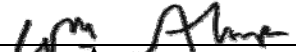
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Defendants' deadline to move for summary judgment is extended to **FEBRUARY 9**.

To be clear, this order does not affect the deadline set by Rule 15(a)(1)(A) for plaintiff to amend his complaint in the related action.

**IT IS SO ORDERED.**

Dated: January 25, 2017.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE