

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IVANA KIROLA, *et al.*,
Plaintiffs,

No. C-07-3685 SBA (EMC)

v.

ORDER RE PLAINTIFFS' MOTION TO COMPEL

THE CITY AND COUNTY OF SAN FRANCISCO, *et al.*,
Defendants.

(Docket No. 128)

Plaintiffs moved to compel certain documents from the City. A hearing on Plaintiffs' motion was held on March 3, 2010. This order memorializes the Court's rulings made at the hearing.

(1) The parties shall meet and confer to reach a stipulation regarding the self-evaluations, transition plans, and so forth -- *i.e.*, to the effect that the City has produced all documents which it contends comprises its compliance with §§ 504 and 11135 and that it will not offer any other documents at trial, and that the City has no documents expressly denominated as §§ 504 and 11135 transition or self-evaluation plans.

(2) The Court shall not order production of e-mails from the Mayor and the Board of Supervisors because it is not likely to be productive. Plaintiffs have alternative means of obtaining the information that they seek (*e.g.*, e-mails from or to City employees more directly responsible for disability-related matters, depositions of the same persons). In addition, even though the fact discovery deadline has been extended, this issue was still brought up late in the proceedings, and the burden outweighs the limited probative value. E-mails from the other City employees shall be

United States District Court
For the Northern District of California

1 produced on the schedule discussed at the hearing, and in any event to be no later than March 31,
2 2010.

3 This order disposes of Docket No. 128.

4
5 IT IS SO ORDERED.

6
7 Dated: March 5, 2010

8 
9 _____
10 EDWARD M. CHEN
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28