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

No. C 08-3946 WDB

MEDINA, et al.,

Plaintiffs,

v.

CITY OF MENLO PARK, et al.,

Defendants.

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**ORDER FOLLOWING IN CAMERA  
REVIEW OF MATERIAL FROM  
PERSONNEL FILES OF NAMED  
OFFICER DEFENDANTS**


Pursuant to the Court's Order of December 17, 2008, defense counsel and defendant's administrative staff searched for, identified, and produced one set of documents that arguably is responsive to the directive in that Order to produce for in camera review any complaints against any of the named officer defendants that contained allegations of officer misconduct in any of several specified arenas. Simultaneously, defense counsel acknowledged the existence of an additional set of arguably responsive documents, but confirmed that the matters addressed in those documents all predated the year 2000 – most by a considerable margin. Given their age and apparently only marginal relevance, defense counsel need not produce those older papers for in camera review.

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The Court has examined the set of documents that was produced. It involves one incident and only one of the named officer defendants. Under the allegations in the pending Complaint, it is not clear that that one officer played a leadership or instigating role in the events on which this case turns. Nor does it appear that there are probative parallels of any likely significance between the circumstances that were investigated in the produced documents and the alleged misconduct by the officers that is in issue here. Given all the pertinent considerations, the Court hereby DECLINES to order the defendants to produce to counsel for plaintiffs the documents that the Court has examined in camera.

**IT IS SO ORDERED.**

Dated: January 5, 2009

  
Wayne D. Brazil  
Magistrate Judge  
UNITED STATES DISTRICT JUDGE

cc: all parties; stats