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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

PETER NEWSOM, et al.,  
Plaintiffs,  
v.  
BANKERS ALLIANCE INC., et al.,  
Defendants.

Case No. [09-cv-05288-SBA](#) (NJV)

**ORDER REQUIRING PARTIES TO  
FILE DOCUMENTS**

United States District Court  
Northern District of California

The undersigned held an evidentiary hearing in this matter on January 7, 2014. The parties discussed but did not provide several documents. Accordingly, no later than 10 days from the date of this order:

Whiteside shall provide to the court her un-redacted phone records substantiating her claim that she called Norman and Rooney upon receiving the SAC. If Whiteside prefers not to file this information publicly, she may file a redacted version and provide an un-redacted version to the court *in camera*, with a copy to Plaintiffs' counsel. Whiteside shall attach the phone records to a declaration, verifying under penalty of perjury that the phone number from which the relevant calls were placed was her phone number and that the documents are true and correct copies of her phone records.

Rooney shall file the complete transcript of Whiteside's deposition.

In addition, the court has reviewed the docket in this matter, and cannot substantiate Whiteside's representation at the hearing that she appeared for a case management conference ("CMC") with Judge Armstrong before Plaintiffs attempted to serve her at Fillbert Street. Plaintiffs delivered a copy of the operative complaint to the Fillbert Street address on October 23,

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2012. *See* Doc. No. 114. There is no indication on the docket that Whiteside appeared at any CMC before that date. Whiteside may address the issue in her declaration.

**IT IS SO ORDERED.**

Dated: January 7, 2014



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NANDOR J. VADAS  
United States Magistrate Judge