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2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5

6 TODD ASHKER, et al.,

7 Plaintiffs,

8 v.

9 GAVIN NEWSOM, et al.,

10 Defendants.
11

Case No. 09-cv-05796 CW

**ORDER REQUIRING
DEFENDANTS TO PRODUCE
DOCUMENTS**

(Re: Dkt. No. 1698-2)

12 Now before the Court is Plaintiffs' motion for de novo review of the magistrate judge's
13 denial of three separate motions relating to Defendants' alleged retaliation against a class member.
14 *See* Docket No. 1698-2. One of those motions was brought before the magistrate judge in the
15 form of a letter brief in which Plaintiffs requested an order requiring Defendants to continue to
16 produce certain documents pursuant to an order issued by this Court, *see* Docket No. 1118 at 10.
17 The magistrate judge denied Plaintiffs' request, *see* Docket No. 1695 at 2-3, and Plaintiffs now
18 seek de novo review of that ruling on the ground that the documents at issue continue to be
19 relevant to the alleged retaliation against the class member, Docket No. 1698-2 at 4 n.6.

20 Paragraph 39 of the Settlement Agreement (SA) provides, "Any disputes regarding data
21 and document production shall be submitted to [the magistrate judge] in accordance with the
22 dispute resolution and enforcement procedures set forth in Paragraphs 52 and 53 below." *See* SA
23 ¶ 39, Docket No. 424-2. Rulings issued by the magistrate judge under Paragraph 53 of the
24 Settlement Agreement are subject to de novo review by this Court under 28 U.S.C. § 636(b)(1)(B).
25 *See id.* ¶ 53.

26 The Court agrees with Plaintiffs that the documents at issue are relevant to the resolution
27 of pending motions relating to Defendants' alleged retaliation against a class member. Defendants
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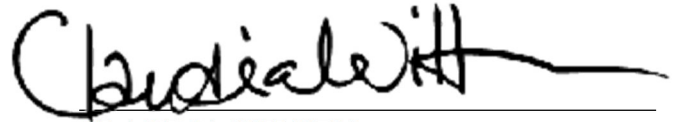
1 shall continue to produce documents pursuant to this Court's order, Docket No. 1118 at 10, until
2 relieved of that obligation upon a request to this Court.

3 Within seven days of the date this order is filed, Defendants shall produce to Plaintiffs the
4 documents that Plaintiffs requested in the letter brief, as well as any additional responsive
5 documents that may have been created since the parties filed that letter brief.

6 IT IS SO ORDERED.

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Dated: October 17, 2022



CLAUDIA WILKEN
United States District Judge