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**United States District Court**  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CORY NAROG,

No. C-13-03237 DMR

Plaintiff(s),

**ORDER FOR SUPPLEMENTAL  
BRIEFING RE: JOINT DISCOVERY  
LETTER [33]**

v.

CITY OF REDWOOD CITY,

Defendant(s).

Before the court is a joint discovery letter filed by Plaintiff Cory Narog and Defendant City of Redwood City. [Docket No. 33.]

In the letter, Plaintiff seeks to compel the production of certain documents which Redwood City asserts is protected by the attorney client privilege and/or the work product doctrine. Redwood City shall lodge the following documents for *in camera* review by **April 3, 2014**: RC 459, 564, 565-568, 672, 673-92. The documents shall be presented in a binder with tabs separating the documents. The court may order further briefing following its review.

Plaintiff also moves to compel the production of certain documents which Redwood City asserts is protected by the official information privilege (RC 501-03, 516, 517, 570, 572). Redwood City requests that this court conduct an *in camera* review of these documents to determine whether the privilege applies. *In camera* review is inappropriate at this stage. *See Kelly v. City of San Jose*,

1 114 F.R.D. 653 (N.D. Cal. 1987) (requiring threshold showing via declaration or affidavit from  
2 official for assertions of official information privilege). If Redwood City continues to assert this  
3 privilege, it must file a declaration or affidavit as required by *Kelly* by **April 3, 2014**.

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5 IT IS SO ORDERED.

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7 Dated: March 29, 2014



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