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11 -and-

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17 Attorneys for Defendants, COUNTY OF SANTA CLARA  
 AND ITS OFFICE OF THE SHERIFF, DEPARTMENT OF  
 18 CORRECTION, AND SANTA CLARA VALLEY HEALTH  
 AND HOSPITAL SYSTEM; LAURIE SMITH; EDWARD  
 19 FLORES; TOBY WONG; KIM ROBERTS; ROBERT SILLEN;  
 MARYANN BARRY; DENISE BECKER; CHRISTINE FERRY;  
 20 BEVERLY PURDY; AMARJIT GREWAL; NANCY MAGER;  
 and HERBIE DE LA CRUZ

22 IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA  
 23 NORTHERN DISTRICT OF THE STATE OF CALIFORNIA  
 SAN JOSE DIVISION

24	ESTHER KRENN and ESTATE OF ANDREW	)	No. CV 07-02295 JW PVT
25	MARTINEZ By and Through his Administratrix,	)	
26	ESTHER KRENN,	)	<del>(PROPOSED)</del> ORDER RE
	Plaintiffs,	)	PLAINTIFF'S MOTION TO
27	v.	)	COMPEL PRODUCTION OF
	COUNTY OF SANTA CLARA; et al.	)	DOCUMENTS
28	Defendants.	)	

1 The plaintiffs, through their respective counsel of record, set forth that the following matters  
2 were agreed to by the parties and/or ordered by the Court at the hearing held on December 2, 2008:

3 1. Defendants are ordered and agreed to produce all redacted documents in an unredacted  
4 form unless the redacted portion falls into some specific privilege such as the attorney-client,  
5 attorney work product, or doctor-patient privilege.

6 2. If the redacted item Defendants believe falls under such a privilege, Defendants will set  
7 forth the item so classified and the nature of the privilege in a privilege log, at which point the parties  
8 will meet and confer as to items sought to be withheld.

9 3. The Court specifically ordered that Defendants produce unredacted documents relating to  
10 any and all classification files concerning Mr. Martinez, including all information and methodologies  
11 used in arriving at any classification level from those classification files. Any items that defendants  
12 are concerned about, defendants may choose to produce under the stipulated protective order  
13 designation of "Highly Confidential".

14 4. The Court further ordered and defendants agreed that logs of housing units where  
15 Mr. Martinez was housed between January 1, 2006 and May 17, 2006 which contain likely percipient  
16 witnesses to Mr. Martinez's interactions on that unit as well as any logs of personnel likely to be  
17 percipient witnesses to Mr. Martinez's care on those units as well as logs of DOC or inmates who  
18 were present or likely to be present at the time of Mr. Martinez's assaults on correctional officers at  
19 the Main Jail in 2002 and 2004 will be produced.

20 5. The Court ordered production of a Bates Stamped hard copy of the ACHS Standards  
21 Manual which was in effect May 17, 2006, the date of Andrew Martinez's death.

22 6. This entire production is to be served on plaintiffs by December 29, 2008.

23 Dated: December 28, 2008.

LAW OFFICES OF GERI LYNN GREEN, LC

24 By/s/

Gerri Lynn Green (State Bar No. 127709)  
Attorneys for Plaintiffs

25 Jan.

26 Dated: ~~December~~ 5, 2009.

SHEUERMAN, MARTIN I& TABARI

27 By/s/

DAVID SHEUERMAN  
Attorneys for County Defendants

1 **IT IS SO ORDERED.**

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3 **Dated:** 1/29/09

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Honorable Patricia V. Trumbull  
United States ~~District Court Judge~~  
Magistrate Judge

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