

1 any such information to Plaintiffs or their attorney; and 2) objected to *any* release of documents by
2 non-party Hollister Police Department.

3 Based on the stipulation and objection filed, and the file herein,

4 IT IS HEREBY ORDERED that the joint request of Plaintiffs and Defendants San Benito
5 County and Sheriff Curtis J. Hill is DENIED. This court’s Civil Local Rule 7-1(a) provides that:

6 “**Types of Motions.** Any written request to the Court for an order must be presented
7 by one of the following means:

8 “(1) Duly noticed motion pursuant to Civil L.R. 7-2;

9 “(2) A motion to enlarge or shorten time pursuant to Civil L.R. 6-1;

10 “(3) When authorized, an ex parte motion pursuant to Civil L.R. 7-10;

11 “(4) When applicable, a motion for administrative relief pursuant to
12 Civil L.R. 7-11; or

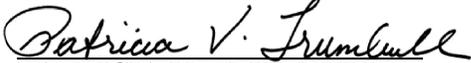
13 “(5) Stipulation of the affected parties pursuant to Civil L.R. 7-12.”

14 Civil Local Rule 7-12 provides, in relevant part: “Every stipulation requesting judicial action
15 must be in writing signed by all affected parties or their counsel.”

16 Here, the parties affected by the purported stipulation include Defendant Rodrigues and non-
17 party Hollister Police Department. Because neither of those parties signed off on the stipulation, the
18 stipulation does not meet the requirements of Civil Local Rule 7-12, and thus Plaintiffs have not met
19 the requirements of Civil Local Rule 7-1(a) regarding the means by which a request for an order
20 must be presented to the court.

21 The requirements of Civil Local Rules 7-1(a) and 7-12 are not mere formalities. They ensure
22 that any contested matters are properly briefed for the court’s consideration. Here there is a dispute
23 over whether documents concerning Defendant Rodrigues should be released to Plaintiffs by
24 Defendant San Benito County and non-party Hollister Police Department (with or without *in camera*
25 review), yet the dispute has not been briefed by the parties. Thus, there is not an adequate record
26 from which the court can reach a decision regarding this discovery dispute at this time.

27 Dated: 3/3/09

28 
PATRICIA V. TRUMBULL
United States Magistrate Judge