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28***E-FILED 02-22-2010***

NOT FOR CITATION
 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

GARY HOWARD KIDGELL,

No. C08-03396 JW (HRL)

Plaintiff,

**INTERIM ORDER RE DEFENDANT
 COUNTY OF SANTA CLARA'S
 MOTION TO COMPEL**

v.

COUNTY OF SANTA CLARA, COUNTY OF
 SANTA CLARA SHERIFF'S DEPT.;
 COUNTY OF SANTA CLARA OFFICERS
 WHEELER #2595, QUIRO #2705,
 CUNNINGHAM #2699, TAIARIOL #2701,
 ROGGY #2365, ROHDES #1712, HELIKSON
 #2016, ASBAN #1939, DEPUTY MORIN
 #0321; DEPARTMENT OF CORRECTION
 STAFF LOUELLA MANZANO AND DOES 1
 through 50,

Defendants.

Defendant County of Santa Clara ("County") moves for an order compelling pro se plaintiff Gary Kidgell to produce documents. This court has not received any opposition to that motion. And, based on the County's reply papers, it appears that there is no dispute as to whether and what documents should be produced. The only question is *when* plaintiff should produce (or should have already produced) them. This court finds the matter suitable for disposition without oral argument, and the March 2, 2010 motion hearing is vacated. Civ. L.R. 7-1(b). No later than **March 1, 2010**, the County shall file a status report either (a) identifying the specific documents that remain outstanding or (b) confirming that the matter has been

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resolved and that the motion is moot. Assuming that the matter is not resolved, the motion will then be deemed submitted on the papers.

SO ORDERED.

Dated: February 22, 2010



HOWARD B. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 5:08-cv-03396-JW Notice electronically mailed to:

2 David Michael Rollo david.rollo@cco.sccgov.org, anna.espiritu@cco.sccgov.org

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5 Counsel are responsible for distributing copies of this document to co-counsel who have not
6 registered for e-filing under the court's CM/ECF program.

7 5:08-cv-03396-JW Notice mailed to:

8 Gary Howard Kidgell
9 228 Spruce Street
10 Wichita, KS 67214

11 Pro Se Plaintiff

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