

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

OSCAR SALINAS,
Plaintiff,
v.
PALO ALTO UNIVERSITY, et al.,
Defendants.

Case No. [5:15-cv-06336-HRL](#)

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION TO COMPEL DISCOVERY**

Re: Dkt. No. 66

Plaintiff filed the present motion to compel nearly one month after the deadline for bringing such motions, and he also failed to comply with the court's Standing Order re Civil Discovery Disputes. The court does not condone plaintiff's rather blatant failure to comply with applicable rules and court orders.¹ Nevertheless, at the March 21, 2017 status conference, the court said that it would address plaintiff's motion to compel, notwithstanding the procedural defects.

Having considered the moving and responding papers, the court now rules on plaintiff's motion to compel as follows:

¹ Indeed, the Case Management Order reminded the parties of the pertinent deadlines and standing orders. (Dkt. 57).

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Interrogatories, Set 2

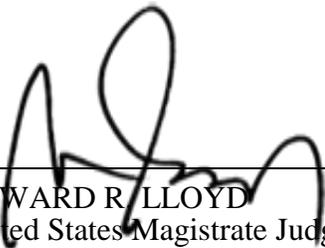
Plaintiff’s motion to compel a further response to Interrogatory No. 6 is granted as follows:
The court questions the materiality and ultimate import of the distinction plaintiff draws between the judgment of the University (what he refers to as “final decisionmakers”) and that of the individuals named in this interrogatory. Nevertheless, because the interrogatory reasonably could be read as plaintiff contends, defendant shall serve a supplemental response that addresses the judgment of the final decisionmakers. Defendant’s response shall be served by **May 12, 2017**. Plaintiff’s motion to compel further answers to the interrogatories at issue is otherwise denied. Defendant has properly answered the questions that were posed.

Documents

In its December 16, 2016 discovery order, defendant was ordered to produce materials pertaining to three patients, with patient-identifying information redacted. (Dkt. 63). Plaintiff maintains that a number of materials are missing. Defendant avers that some DVDs were destroyed in the ordinary course of business prior to the filing of this lawsuit. The record otherwise demonstrates that defendant searched all locations where responsive files were stored and produced all materials that were found. Plaintiff’s motion to compel further information is denied.

IT IS SO ORDERED.

Dated: May 2, 2017



HOWARD R. LLOYD
United States Magistrate Judge

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5:15-cv-06336-HRL Notice has been electronically mailed to:

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