

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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| EVA JOHNSON and BRYCE JOHNSON | : | |
| PPA EVA JOHNSON, | : | |
| | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | CASE NO. 3:12cv1032 (RNC) |
| | : | |
| AVALONBAY COMMUNITIES, et al., | : | |
| | : | |
| Defendants. | : | |

RULING ON PLAINTIFFS' MOTION TO COMPEL

Pending before the court is the plaintiffs' motion to compel. (Doc. #35.) The court heard oral argument on April 26, 2013 and rules on the requests as follows:

1. Interrogatory 3: During oral argument, the plaintiffs narrowed the scope of the request to September 2007. The defendants' objection that the request is vague and ambiguous is overruled. The defendants' relevance objection also is overruled as the request is unquestionably relevant. The plaintiffs' motion to compel interrogatory 3, as narrowed by the plaintiffs, is granted.

2. Interrogatory 4: During oral argument, the plaintiffs narrowed the scope of the request to September 2007 and limited "health issues" to respiratory issues and allergies. The defendants' objection that the request is vague and ambiguous is overruled. The defendants' relevance objection also is overruled as the request is relevant. Interrogatory 4, as narrowed by the plaintiffs, is granted.

3. Request for Production 6: During oral argument, the plaintiffs limited "health issues" to respiratory issues and allergies. Request for Production 6, as narrowed by the plaintiffs, is granted.

The defendants are reminded of their obligation to make a thorough and good faith effort to search for responsive materials. They will produce responses within fourteen (14) days of the filing of this order. See D. Conn. L. Civ. R. 37(d). If there is no responsive information, the defendants will so state under oath.

4. Finally, the plaintiffs seek to compel a document listed on the defendants' privilege log as protected work product. The motion to compel as to this request is taken under advisement. By April 30, 2013, the defendants shall file the document under seal for the court's in camera review.

The parties are reminded of their meet and confer obligations under both the federal and local rules of procedure to resolve any differences and present to the court only those issues of discovery that are necessary for the full weight of judicial authority.

SO ORDERED at Hartford, Connecticut this 26th day of April, 2013.

_____/s/_____
Donna F. Martinez
United States Magistrate Judge