

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

JOHN DOE, JOHN DOE 2, JOHN DOE 3,  
and JOHN DOE 4;

Plaintiffs;

v.

JOSEPHINE COUNTY;

Defendant.

Case No. 1:12-cv-02080-CL  
Consolidated with:  
1:13-cv-00825-CL  
1:13-cv-00724-CL

**ORDER**

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CLARKE, Magistrate Judge.

The court does not have sufficient information to rule on Plaintiffs' motion to compel and request for sanctions (#124). Accordingly, Defendant Josephine County ("County") is hereby ORDERED to submit supplemental declarations by September 26, 2014. Without waiving any attorney-client privileges, Defendant's supplemental declarations should address the following questions:

1. Regarding Plaintiffs' first set of Request for Production of Documents, dated April 3, 2013, identify:
  - a. The name of the County representative assigned to organize the County's effort to respond to the request and the date of the assignment.

- b. The names of all County representatives tasked with searching for, collecting, and compiling responsive information.
  - c. For each named County representative, identify:
    - i. What specifically he/she did to respond to the request.
    - ii. When he/she worked on each identified task.
    - iii. Where he/she looked for responsive information.
    - iv. Who he/she asked for responsive information.
    - v. How much time he/she spent working to respond to the request.
2. Regarding Plaintiffs' first set of Request for Interrogatories, dated April 3, 2013:
- a. The name of the County representative assigned to organize the County's effort to respond to the request and the date of the assignment.
  - b. The names of all County representatives tasked with searching for, collecting, and compiling responsive information.
  - c. For each named County representative, identify:
    - i. What specifically he/she did to respond to the request.
    - ii. When he/she worked on each identified task.
    - iii. Where he/she looked for responsive information.
    - iv. Who he/she asked for responsive information.
    - v. How much time he/she spent working to respond to the request.
3. Regarding Plaintiffs' second set of Request for Production of Documents, dated April 26, 2013:
- a. The name of the County representative assigned to organize the County's effort to respond to the request and the date of the assignment.

- b. The names of all County representatives tasked with searching for, collecting, and compiling responsive information.
  - c. For each named County representative, identify:
    - i. What specifically he/she did to respond to the request.
    - ii. When he/she worked on each identified task.
    - iii. Where he/she looked for responsive information.
    - iv. Who he/she asked for responsive information.
    - v. How much time he/she spent working to respond to the request.
4. Regarding Plaintiffs' third set of Request for Production, dated September 20, 2013:
- a. The name of the County representative assigned to organize the County's effort to respond to the request and the date of the assignment.
  - b. The names of all County representatives tasked with searching for, collecting, and compiling responsive information.
  - c. For each named County representative, identify:
    - i. What specifically he/she did to respond to the request.
    - ii. When he/she worked on each identified task.
    - iii. Where he/she looked for responsive information.
    - iv. Who he/she asked for responsive information.
    - v. How much time he/she spent working to respond to the request.
5. Regarding Plaintiffs' second set of Request for Interrogatories, dated September 20, 2013:
- a. The name of the County representative assigned to organize the County's effort to respond to the request and the date of the assignment.

- b. The names of all County representatives tasked with searching for, collecting, and compiling responsive information.
    - c. For each named County representative, identify:
      - i. What specifically he/she did to respond to the request.
      - ii. When he/she worked on each identified task.
      - iii. Where he/she looked for responsive information.
      - iv. Who he/she asked for responsive information.
      - v. How much time he/she spent working to respond to the request.
- 6. Regarding Plaintiffs' fourth set of Requests for Production, dated May 29, 2014
  - a. The name of the County representative assigned to organize the County's effort to respond to the request and the date of the assignment.
  - b. The names of all County representatives tasked with searching for, collecting, and compiling responsive information.
  - c. For each named County representative, identify:
    - i. What specifically he/she did to respond to the request.
    - ii. When he/she worked on each identified task.
    - iii. Where he/she looked for responsive information.
    - iv. Who he/she asked for responsive information.
    - v. How much time he/she spent working to respond to the request.
- 7. Prior to Plaintiffs' July 2014 inspection of records in the County building basement, had any County representative gone through the boxes of records in the basement in an effort to identify documents responsive to Plaintiffs' discovery requests?
  - a. If so, identify:

- i. The name of the County representative,
    - ii. How many boxes he/she looked through,
    - iii. How many cells containing records he/she looked through, and
    - iv. How much time he/she spent.
  - b. If not, why not?
8. How many cells in the County building basement contain records?
9. Does the County maintain a log of what records are stored in each basement cell?
10. Are there other documents stored in County offices or archives that have not been reviewed that could possibly be responsive to Plaintiffs' requests?
  - a. If yes, where are the documents located and what is their approximate volume?
  - b. If no, how do you know?
11. Has the County found any documents that reference Ray Luckey that have not been produced to Plaintiffs? Do any of these documents pre-date this litigation? Please give a brief description, date of the document, and state the reason the document has not been produced.
12. Does County Counsel have any documents that pre-date this litigation in his file for which the County is claiming privilege? Please give a brief description, date of the document, and why the County claims privilege.

DATED this 16 day of September 2014.

  
MARK D. CLARKE  
United States Magistrate Judge