

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**LONE STAR CHAPTER PARALYZED
VETERANS OF AMERICA, and
SKYWARD BOUND RANCH,**

Plaintiffs,

v.

CITY OF SAN ANTONIO,

Defendant.

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CIVIL ACTION NO.

SA-10-CV-0316 XR

ORDER ON MOTIONS TO COMPEL

(Docket entries no. 65 and 67)

The matters before the Court are defendant’s motions to compel responses to requests for production (docket entries 65 and 67). Also before the Court are the responses and replies thereto.

The motions involve requests for production directed to plaintiffs on November 9. Unsigned responses including objections were tendered on December 9, and it appears the responsive documents forwarded on December 10. Signed responses were tendered on December 17. Defendant argues in its motion that the responses are incomplete and the objections to the requests for production without merit.

Having reviewed the parties’ submissions in light of the controlling authorities, it is ORDERED that:

1. With the exception of plaintiffs’ objection to request for production #2, all other objections based on overbreadth are DENIED. Accordingly, defendant’s motions to compel with respect to Requests for Production #2 are DENIED.

2. Plaintiffs' objections based on relevancy and lack of specificity are DENIED.
3. Plaintiffs' objections based on the argument that the documents requested are in the possession of third-parties are DENIED, to the extent that plaintiffs have possession, custody or control of the documents sought, regardless of whether defendant could also obtain the documents from third-parties. F.R.Civ.P. 34(a)(1).
4. Plaintiffs' objections based on "common-law and constitutional privacy" are DENIED. Responsive documents as to which there are privacy concerns shall be produced subject to the protective order previously entered in this case (docket entry 89).
5. Plaintiffs' objections based on attorney client privilege or work product are DENIED, plaintiff having failed to submit a detailed description of the documents claimed to be privileged and the specific reasons why the documents are subject to the claim as contemplated by Federal Rule of Civil Procedure 26 (b)(5)(A).
6. Plaintiffs shall produce the requested documents consistent with the above no later than February 11, 2011.

SIGNED on January 29, 2011.



NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE