

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS MCCARTHY; PHAN NGUYEN;
ELIZABETH RIVIERA GOLDSTEIN;
LEAH COAKLEY; PATRICK
EDELBACHER; and CHARLES BEVIS,

Plaintiff,

v.

JAMES BARRETT; HANNAH HEILMAN;
ALAN ROBERTS; TODD KITSELMAN;
BARRY PARIS; THOMAS STRICKLAND;
MICHAEL MILLER; ROBERT SHEEHAN;
DONALD RAMSDELL; and CITY OF
TACOMA (TPD),

Defendants.

Case No. C09-5120 RBL

ORDER GRANTING PLAINTIFFS'
MOTION FOR RECONSIDERATION
[Dkt. #52]

THIS MATTER is before the Court on the Plaintiffs' Motion for Reconsideration [Dkt. #52] of the Court's Order [Dkt. #51] on Defendants' Motion for a Protective Order [Dkt. #35]. Plaintiffs seek reconsideration of that portion of the Order which denied without prejudice their request for information about surveillance occurring after the March 2007 protests at the heart of this case (specifically, "from 2005 to present"). They ask the court to modify the Order as follows:

Plaintiffs are entitled to the requested information from RFP 15, but the scope of discovery will be limited to two years preceding the protest, from 2005-present, rather than Plaintiffs' requested five years preceding the protest.

1 Defendants must produce all information requested in RFP 15 from 2005-present. The following
2 phrase will be deleted from page 3 of the Order: “nor regarding surveillance occurring after the
3 2007 protest.” [Dkt. #52]

4 Defendants oppose these revisions, emphasizing the burdensome nature of the request and the
5 breadth of the Plaintiffs’ use of the term “surveillance.” They ask the court to deny the motion.

6 The Plaintiffs are correct in asserting that their Complaint and claims allege surveillance after the
7 March 2007 protest. Thus, the requested revision to the Court’s Order regarding RFP 15 is GRANTED.
8 The portion of the Court’s prior Order regarding RFP 47 is similarly REVISED to delete the phrase “nor
9 regarding surveillance occurring after the 2007 protest,” from page 3, line 1 of that Order [Dkt. #51].

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11 **IT IS SO ORDERED.**

12 DATED this 1st day of February, 2011.

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14 RONALD B. LEIGHTON
15 UNITED STATES DISTRICT JUDGE
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