

United States District Court

For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARY BULL, *et al.*,

No. C-03-1840 CRB (EMC)

Plaintiffs,

v.

**ORDER GRANTING PLAINTIFFS’  
MOTION TO COMPEL RESPONSES  
TO INTERROGATORIES  
(Docket No. 79)**

CITY AND COUNTY OF SAN  
FRANCISCO, *et al.*,

Defendants.

Having reviewed the parties’ briefs and accompanying submissions and having considered the arguments of counsel, and good cause appearing therefor, the Court hereby GRANTS Plaintiffs’ motion to compel responses to interrogatories.

1. Defendants shall provide a response to Interrogatories Nos. 9 and 10 by 3:00 p.m., April 30, 2004.

2. Plaintiffs have withdrawn their motion with respect to Interrogatory No. 12 as Defendants have provided a sufficient response.

3. Plaintiffs shall be permitted to rephrase Interrogatory No. 16 and Defendants shall provide a response to the rephrased interrogatory within a week of service.

4. Regarding Interrogatory No. 23, Defendants has one of two options. Either Defendants shall produce the necessary documents to Plaintiffs so that Plaintiffs may ascertain the information requested by the interrogatory, *or* Defendants shall provide a response to the interrogatory themselves. If Defendants opt for the former, the documents shall not be redacted but shall be subject to a mutually agreeable protective order; the order shall provide the documents are

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1 for attorneys' eyes only and that the third parties shall not be contacted absent court order. The  
2 documents shall be provided to Plaintiffs by April 23, 2004. If Defendants opt for the latter, they  
3 shall provide the interrogatory response by 3:00 p.m., April 30, 2004.

4 5. Regarding Interrogatory No. 28, Defendants shall provide a declaration to Plaintiffs,  
5 stating, *e.g.*, that, after a reasonably diligent search, they have determined that the authorizations for  
6 a certain period of time do not exist and that they have no basis for providing a response regarding  
7 denials of authorizations because there are no records for denials and witnesses cannot reconstruct  
8 the information.<sup>1</sup> The declaration shall be provided to Plaintiffs by April 21, 2004.

9 6. Defendants shall supplement their response to Interrogatory No. 49 by April 21, 2004.  
10 If Defendants cannot provide more specifics, *e.g.*, where specifically the instruction sheet was posted  
11 at CJ1, then Defendants shall provide Plaintiffs with a declaration stating that, after a reasonably  
12 diligent search, they were not able to obtain any further information requested.

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14 IT IS SO ORDERED.

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16 Dated: April 15, 2004

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18 /s/  
19 EDWARD M. CHEN  
20 United States Magistrate Judge

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28 <sup>1</sup> Given the statute of limitations, the declaration need only address authorizations and denials  
with respect to the time period of 2002 to the present. If the statute of limitations period is at some point  
in the future changed, then Plaintiffs may ask the Court to revisit this issue.