

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROSALETY BARNETT,

Plaintiff(s),

v.

COUNTY OF CONTRA COSTA,

Defendant(s).

Case No. 04-04437 TEH (JCS)

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS
MOTION TO COMPEL DISCOVERY
RESPONSES [Docket No. 21] AND
DENYING PLAINTIFFS MOTION FOR
SANCTIONS [Docket No. 23]**

On July 25, 2005, Plaintiffs filed a Motion to Compel Discovery Responses (the "Motion to Compel"), and a Motion for Sanctions.

On September 2, 2005, the Motion to Compel and Motion for Sanctions came on for hearing. Mark Merin, counsel for Plaintiffs, appeared. James V. Fitzgerald, counsel for Defendants, appeared.

For reasons stated on the record, and good cause shown,

IT IS HEREBY ORDERED that the Motion to Compel is GRANTED IN PART AND DENIED IN PART. Within five (5) Court days of this Order, the parties shall meet-and-confer to develop a reasonable plan to answer the questions sought in the interrogatories. If the parties cannot reach a solution, within fifteen (15) Court days of this Order, Plaintiff shall take a 30(b)(6) deposition of the person most knowledgeable of the record keeping by Defendants during the relevant time period for the relevant facilities, including computerized and non-computerized record keeping. If the parties are unable to reach a reasonable plan to answer the interrogatories, the parties shall submit a Joint Letter to the Court within twenty (20) Court days of this Order. This Joint Letter shall include a description of every issue in dispute and, with respect to each such issue, a detailed summary of each party's final substantive position and their final proposed compromise on each

1 issue. Upon receipt of the Joint Letter, the Court will place the matter on calendar for hearing.

2 IT IS HEREBY FURTHER ORDERED that the Motion for Sanctions is DENIED.

3 IT IS SO ORDERED.

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5 Dated: September 9, 2005

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8 Joseph C. Spero
9 United States Magistrate Judge
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