

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,

Plaintiffs,

No. 2:90-cv-0520 LKK JFM P

vs.

EDMUND G. BROWN, JR., et al.,

Defendants.

ORDER

On March 6, 2013, the parties filed a Joint Statement Seeking Clarification of the court's order of March 5, 2013. (Doc. No. 4370 - Joint Statement.) Plaintiffs seek clarification of that part of this court's March 5, 2013 order (Doc. No. 4367) which required defendants to produce use of force videos (UOF videos) to plaintiff's expert "in the same manner and to the same extent those . . . materials were provided to defendant's expert" (Doc. No. 4367 at 6.) Plaintiffs seek production of copies of the videos in question to their expert in Washington State, where he lives and is currently working on his expert report. (Joint Statement at 1.) Defendants oppose that request and have presented evidence that their expert was not provided copies of UOF videos and did not remove those that he reviewed from CDCR premises. (Joint Statement at 2) (citing Ex. 1 to Decl. of William Downer, filed March 6, 2013 (Doc. 4370-2)). Defendants

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1 also represent that they have agreed to make the UOF videos available for inspection by
2 plaintiffs' expert at a "mutually agreed upon CDCR facility." (Joint Statement at 2.)

3 After review of the parties' Joint Statement, and good cause appearing, IT IS
4 HEREBY ORDERED that plaintiffs' motion for an order directing defendants to produce copies
5 of UOF videos to plaintiffs' expert for his review in Washington State is denied. Defendants
6 shall forthwith make all responsive UOF videos available to plaintiffs' expert at a date, time, and
7 CDCR location selected by plaintiffs and their expert, and to make those UOF videos available to
8 plaintiff's expert at the selected location for as long as plaintiffs' expert deems necessary to
9 complete his review thereof.

10 DATED: March 7, 2013.

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13 DALE A. DROZD
14 UNITED STATES MAGISTRATE JUDGE

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