

2006 WL 1631645

Only the Westlaw citation is currently available.  
United States District Court,  
C.D. California, Western Division.

S.A. THOMAS & E.L. Gibson,  
v.  
Leroy BACA, et al.

No. CV 04-08448 DDP. | May 31, 2006.

Franscell, Strickland, Roberts & Lawrence, Glendale, CA  
for defendants.

**Opinion**

**CIVIL MINUTES-GENERAL**

HILLMAN, J.

**Attorneys and Law Firms**

Stephen Yagman, Marion R. Yagman, Joseph Reichmann,  
Yagman & Yagman & Reichmann, Venice Beach, CA,  
for plaintiffs.

David D. Lawrence, Paul B. Beach, Justin Clark,

*SANDRA BUTLER* \_\_\_\_\_

**DOCKET ENTRY**

Deputy Clerk Tape Number

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

Stephen Yagman

Justin Clark

**PROCEEDINGS: DEFENDANT’S MOTION TO COMPEL**

\*1 Defendant’s Motion to Compel Responses to Requests for Admissions (RFA’s) (Set Two) and Requests for Production (Set 2) were taken under submission following oral argument on May 1, 2006.

The court now partially GRANTS and partially DENIES the Motion with respect to RFA’s:

With respect to plaintiff Thomas, the Motion is Granted as to RFAs 17 through 33. The court finds that said RFA’s are entirely proper, and are not “disguised interrogatories”, as plaintiffs argue. F.R.Civ.P.36(a). The above RFA’s are well designed to narrow the issues prior to trial. *Diederich v. Department of Army*, 132 F.R.D. 614, 616 (S.D.N.Y.1990). However, the court DENIES

the Motion with respect to RFA’s 34-37, as they are not appropriate RFA’s, since they cannot be easily answered without lengthy explanation, and because the Requests address complex factual issues.

With respect to plaintiff Gipson, the Motion is Granted as to RFA’s 17 through 33, and Denied as to RFA’s 34-36, for the reasons stated above.

Plaintiff Quintana is no longer a party to this lawsuit, so no order is made as to him.

As for the Requests for Production, the court defers ruling on Request 22 until Judge Pregerson rules on the admissibility of the subject document (plaintiff’s database) in the pending Motion for Reconsideration of the denial of Summary Adjudication. If the database is stricken, it is this court’s understanding that defendants will withdraw this Request to Produce.

**Thomas v. Baca, Not Reported in F.Supp.2d (2006)**

Request 23 addressed to both plaintiffs Thomas and Gipson is Granted, but only with respect to the specific RFA's which the court has granted above.

Defendants' Request for Sanctions is Denied.

Compliance with this order within 20 days of this date.