

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	EDCV 13-0673-VAP (JEM)	Date	August 8, 2014
Title	Jonathan Birdt v. San Bernardino Sheriffs Department		

Present: The Honorable	John E. McDermott, United States Magistrate Judge
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S. Anthony

Deputy Clerk

Attorneys Present for Plaintiffs:

Court Reporter / Recorder

Attorneys Present for Defendants:

Proceedings: (IN CHAMBERS) ORDER RE DOCKET NOS. 74, 90 AND 92

Pending before the Court are Defendant John McMahon's Motion to Dismiss the Second Amended Complaint and Plaintiff Jonathan Birdt's Motion for Summary Judgment. Defendant McMahon in his Motion to Dismiss requests the Court to take judicial notice of Plaintiff's entire permit application. Defendant McMahon also makes reference to the background investigation file in his Opposition to Plaintiff's Motion for Summary Judgment.

The Court repeatedly has made clear that it will not decide the pending motions without a copy of the entire application file before it. The Court did review the file in camera and on June 11, 2014 ordered it produced to Plaintiff who was given five days to redact personal information identified in Local Rule 5.2-1 such as Social Security numbers, bank account numbers, telephone numbers and home addresses and return the redacted copy to the San Bernardino County Sheriffs Department. The Court ordered that henceforth only the redacted version of the file shall be used in these proceedings. The parties have not advised the Court of the status of their compliance with its June 11, 2014 Order and neither party has submitted the entire application file redacted as instructed in connection with the pending motions.

Accordingly, the Court ORDERS Defendant McMahon to submit a proper Request for Judicial Notice of Plaintiff's entire application file redacted of the personal information described above, together with the file itself, by **August 14, 2014**. The

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Request for Judicial Notice should make clear the file is being submitted in connection with both pending motions.

cc: Parties

Initials of Preparer _____ : _____
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