

(ENDORSED)
FILED
NOV 21 2012
DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
By: SYLVIA PAPADOPOULOS DEPUTY

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**

SAN JOSE POLICE OFFICERS'
ASSOCIATION,

Plaintiff,

vs.

CITY OF SAN JOSE AND BOARD OF
ADMINISTRATORS FOR POLICE AND FIRE
DEPARTMENT RETIREMENT PLAN OF
CITY OF SAN JOSE,

Defendants.

Case No. 112CV225926
(and Consolidated Actions 112CV225928,
112CV226570, 112CV226574, and
112CV227864)

ORDER REGARDING DISCOVERY
AND PRETRIAL MANAGEMENT

WHEREAS the Superior Court has ordered that the above-referenced cases be consolidated for pretrial purposes,

NOW THEREFORE the Court orders as follows:

1. No plaintiff in any of the consolidated cases may propound discovery requests on a defendant that are duplicative of discovery requests propounded by another plaintiff on the same defendant in another of the consolidated cases. "Duplicative" refers not only to requests that are identical but also to requests that in substance call for the same information. If the parties

1 disagree about whether a discovery request is duplicative, they must meet and confer to attempt
2 to resolve the dispute. If a motion is filed to resolve such a dispute, the Court will follow Code
3 of Civil Procedure section 2019.030(c) concerning imposition of sanctions on a motion for
4 protective order.

5 2. Discovery responses of any party to any of the consolidated cases may be used in any
6 of the other consolidated cases in the same manner and to the same extent as they may be used in
7 the case in which they were given.

8 3. Witnesses may be deposed only once in the consolidated cases, except that a witness
9 who has previously appeared for deposition as a “person most qualified” pursuant to Code of
10 Civil Procedure section 2025.230 may thereafter be deposed in his or her individual capacity.

11 4. Unless the parties agree, discovery served before the issuance of this order must be
12 served again in compliance herewith.

13 5. If a discovery-related dispute cannot be resolved through the meet-and-confer process,
14 before any motion is filed the parties must contact the Court to determine if the Court desires a
15 pre-filing conference.

16 6. The parties shall not file duplicative motions, and shall meet and confer before any
17 motion is filed. If a joinder is otherwise proper, a party to one of the consolidated cases may file
18 a joinder to a motion filed in any of the consolidated cases.

19 7. Unless specifically modified in this order, discovery, motions and all other pre-trial
20 proceedings will be governed by the Code of Civil Procedure, Rules of Court or local rules.

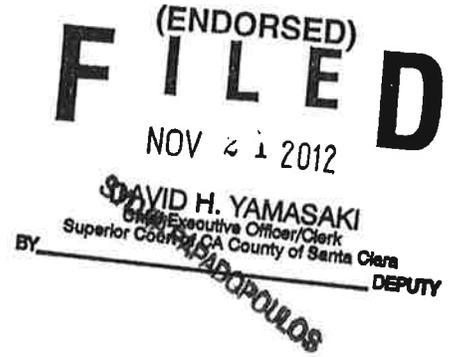
21 8. This order may be amended on a showing of good cause

22 Dated: November 20, 2012

23
24 

25 Honorable Patricia M. Lucas
26 Judge of the Superior Court
27
28

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
191 N. First Street
San Jose, CA 95113-1090



TO: Arthur A Hartinger
Meyers Nave Riback Silver Et Al
555 12th Street Suite 1500
Oakland, CA 94607

RE: San Jose Police Officers' Association vs City Of San Jose
Case Nbr: 1-12-CV-225926

PROOF OF SERVICE

ORDER REGARDING DISCOVERY AND PRETRIAL MANAGEMENT

was delivered to the parties listed below in the above entitled case as set forth in the sworn declaration below.

Parties/Attorneys of Record:

CC: Teague P. Paterson , Beeson Taylor & Bodine APC
Ross House, Suite 200, 483 Ninth Street, Oakland, CA 94612
Jonathan Yank , Carroll Burdick & McDonough LLP
44 Montgomery Street, Suite 400, San Francisco, CA 94104
Christopher E. Platten , Wylie McBride Platten & Renner
2125 Canoas Garden Avenue, Suite 120, San Jose, CA 95125-2124
Harvey L. Leiderman , Reed Smith LLP
101 Second Street, Suite 1800, San Francisco, CA 94105-3659

If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the American with Disabilities Act, please contact the Court Administrator's office at (408)882-2700, or use the Court's TDD line, (408)882-2690 or the Voice/TDD California Relay Service, (800)735-2922.

DECLARATION OF SERVICE BY MAIL: I declare that I served this notice by enclosing a true copy in a sealed envelope, addressed to each person whose name is shown above, and by depositing the envelope with postage fully prepaid, in the United States Mail at San Jose, CA on 11/21/2012. DAVID H. YAMASAKI, Chief Executive Officer/Clerk by Asimina Papadopoulou, Deputy

Received
NOV 26 2012
meyers|nave

meyers | nave

NOV 26 2012

RECEIVED

MEYERS, NAVE, RIBACK, SILVER &
WILSON
555 12TH Street, Suite 1500
Oakland, California 94607
Atten: Linda M. Ross

J. Foley / k. Thomas

PRESORTED
FIRST CLASS



Hasler

016H28
\$00.44
Justice
Mailed From: 95113
11/21/2012 FOREVER
US POSTAGE



JXBASMB 94607

