

ELECTRONIC RULING ON PLAINTIFFS' MOTION FOR PROTECTIVE ORDER, filed 9/14/14 (Dkt. #16) IN GAWRON V. SCRIVO, 14 CV 537 (JBA)

10/29/14 – Under the Scheduling Order, filed by U.S. District Judge Janet Bond Arterton on June 4, 2014 (Dkt. #14), all discovery is to be completed by July 30, 2015.

On September 14, 2014, plaintiffs filed the pending Motion for Protective Order (Dkt. #16), as to which defendants filed their briefs in opposition on September 22 and 25, 2014. (Dkts. ##17, 20). On September 23, 2014, Judge Arterton referred the motion to this Magistrate Judge. (Dkt. #19).

At issue are the subpoenas served upon plaintiffs' investigator, Investigative Partners LLC and Rick Siena. The numerous filings and exhibits reflect that plaintiffs already have produced several documents from the investigation, including a four-page report, signed sworn statements from plaintiff Kniejzneski and two non-party witnesses, and three photographs of plaintiff Kniejzneski's injuries. (See Dkt. #16, Brief at 1; Dkt. #17, at 1-3 & Exhs. C-D; Dkt. #20, Exh. C, at 82-88).¹ There is no indication what other documents are found in the investigative file.

Therefore, **on or before November 17, 2014**, plaintiffs' counsel shall provide copies of the entire investigative file for this Magistrate Judge's in camera review, with a cover letter indicating whether any additional documents have been provided to defense counsel, other than the few mentioned above. After an in camera review, the Magistrate Judge will determine whether any additional materials should be produced for defendants.

Accordingly, plaintiff's Motion for Protective Order (Dkt. #16) is granted to the limited extent that an in camera review is ordered for the entire investigative file.

¹Although defendants contend that plaintiffs had not provided the three photographs, it appears that they were forwarded to them. (Id.).