

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jimmy Gettings v. County of Shasta, et al.

Gettings · No. 2:21-cv-01139-DJC-SCR · Decided March 18, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Defendants’ motions to compel responses to interrogatories and requests for production in an action involving alleged unlawful searches and seizures, excessive force, and malicious prosecution. The Court ordered Plaintiff to provide discovery responses by April 7, 2025, and found that untimely objections were waived. The Court also awarded Defendants \$945 in fees, assessing the amount against Plaintiff’s counsel rather than Plaintiff.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 18, 2025
DOCKET	2:21-cv-01139-DJC-SCR
DISPOSITION	other
PROCEDURAL POSTURE	During fact discovery in a civil-rights action, Defendants moved to compel Plaintiff's responses to interrogatories and requests for production. The court granted both motions and awarded Defendants \$945 in fees against Plaintiff's counsel.
STANDARD OF REVIEW	The court applied the Federal Rules of Civil Procedure governing discovery scope, proportionality, cumulative or duplicative discovery, waiver of untimely objections, and expenses on motions to compel.
PRECEDENTIAL VALUE	unpublished

TOPICS

- discovery dispute
- sanctions
- waiver
- civil procedure
- section 1983

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Defendants were entitled to an order compelling Plaintiff to answer the interrogatories after Plaintiff failed to respond or object by the deadline.
2. Whether Defendants were entitled to an order compelling Plaintiff to respond to the requests for production despite the volume and potentially duplicative nature of the requests.
3. Whether Plaintiff's failure to timely object waived objections to the interrogatories and requests for production.
4. Whether Defendants were entitled to reasonable expenses under Federal Rule of Civil Procedure 37(a)(5)(A), and whether the award should be assessed against Plaintiff or his counsel.

HOLDINGS

1. Defendants' motion to compel interrogatory responses was granted, and Plaintiff was ordered to provide responses by April 7, 2025.
2. Plaintiff waived objections to the interrogatories and requests for production by failing to assert them timely.
3. Defendants' motion to compel responses to the requests for production was granted, and Plaintiff was ordered to produce responsive documents by April 7, 2025, on a rolling basis when documents were ready.
4. Defendants were awarded \$945 in total fees for both motions, and Plaintiff's counsel, rather than Plaintiff, was ordered to pay the award by April 7, 2025.

KEY QUOTATIONS

"Any ground not stated in a timely objection is waived unless the court, for good cause, excuses the failure."
(at 2)

"The nearly 100 requests for production served by Defendants do not serve that purpose, and may not be in proportion to the needs of the case." (at 3)

FACTUAL BACKGROUND

Plaintiff's action concerns alleged illegal searches and seizures, excessive force, and malicious prosecution arising from interactions with Shasta County personnel on three occasions in July 2019. Defendants served interrogatories and nearly 100 requests for production on November 27, 2024. Plaintiff did not timely respond, request an extension, or object, and did not file an opposition to Defendants' motions to compel.

PROCEDURAL HISTORY

Plaintiff filed claims arising from three July 2019 encounters with Shasta County Sheriff's deputies and animal-control officers. After Defendants served interrogatories and requests for production on November 27, 2024,

Plaintiff failed to respond or object by the December 27, 2024 deadline. Defendants moved to compel, Plaintiff filed no written opposition, and the magistrate judge granted both motions after a March 13, 2025 hearing.

DISPOSITION

other

CASES CITED

- Williams v. Condensed Curriculum Int'l, 2021 WL 6621071, at *3 n.2 (N.D. Cal. Dec. 29, 2021)

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