

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TABATHA BARNES, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-16-184-HE
)	
THE CITY OF OKLAHOMA CITY, a)	
municipal corporation, et al.,)	
)	
Defendants.)	

**DEFENDANT CITY OF OKLAHOMA CITY'S
RESPONSES TO DEFENDANT HOLTZCLAW'S SECOND
SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

COMES NOW a Defendant, The City of Oklahoma City, and for its Response to Defendant Holtzclaw's Second Set of Requests for Production of Documents states as follows:

a. A copy of any case file kept by you [sic] related to *State of Oklahoma v. Daniel K. Holtzclaw*, CF-2014-5869.

RESPONSE: There are two lab files, one under the name of Janie Ligons and the other under the name of Rosetta Grate. A complete copy of each file is attached. Please remit your check in the amount of \$55.30. See also Response J.

b. A copy of any and all documents, emails, memoranda, logs, notes and writings kept by you [sic] related to *State of Oklahoma v. Daniel K. Holtzclaw*, CF-2014-5869.

RESPONSE: See Response to Request letter a.

c. A copy of the entire Oklahoma City Police Crime Lab [sic] file related to *State of Oklahoma v. Daniel K. Holtzclaw*, CF-2014-5869.

RESPONSE: See Response to Request letter a.

d. Your [sic] (assumption that Defendant Holtzclaw means Elaine Taylor's but if not, objection applies to all City employees assigned to the OCPD forensic lab) personnel file reflecting your employment with the Oklahoma City Police Crime Lab [sic].

RESPONSE: Objection. Personnel files are privileged and confidential. See Orders of Judge Heaton in *McCalister v. OCPD et al.*, CIV-15-1282-HE and Magistrate Judge Wormuth in *Danny Stout v. Long, et al.*, CIV-15-379-WPJ, and authority cited therein previously provided to you.

e. Your administrative file reflecting your employment with the Oklahoma City Police Crime Lab [sic].

RESPONSE: See Response to Request letter d.

f. Your official case file related to *State of Oklahoma v. Daniel K. Holtzclaw*, CF-2014-5869.

RESPONSE: See Response to Request letter a.

g. All Oklahoma City Police Crime Lab reports [sic], memoranda, notes, phone logs, contamination logs and records.

RESPONSE: Objection, disproportionate to the needs of the case.

h. Contamination logs of the Oklahoma City Police Crime Lab that refer to Elaine Taylor and/or the work of Elaine Taylor.

RESPONSE: Irrelevant as there has not been any allegation that the samples in this case were contaminated. In any event, Contamination Event Logs as to Elaine Taylor from February 17, 2012 to April 28, 2014 (the last one before Defendant Holtzclaw's criminal trial) will be produced.

i. Incident reports of the Oklahoma City Police Crime Lab that refer to Elaine Taylor and/or the work of Elaine Taylor, including but not limited to mistakes such as sample mix-ups, unusual occurrences, and contamination errors.

RESPONSE: Other than the contamination logs (referred to in Response h) and the transcription (referred to in Response n), there was a confidential memo (again Defendant City objects to its production because it was a personnel investigation for which Ms. Taylor was not given a hearing) regarding certain assignments. None of those assignments involve Defendant Holtzclaw.

j. All internal/external proficiency testing, performance results for Elaine Taylor pursuant to her employment with the Oklahoma City Police Crime Lab.

RESPONSE: Copy enclosed on CD.

k. Any and all documents related to any and all cases involving the work of Elaine Taylor that have been selected for re-testing pursuant to any internal quality control or other internal audit.

RESPONSE: None.

1. Any and correspondence, including letters, emails, texts, facsimilies received by you* from, or sent by you* to, the Oklahoma City Police Crime Lab since

your* retirement related in any way to your employment with the lab and/or *State of Oklahoma v. Daniel K. Holtzclaw*, CF-2014-5869.

(*Assumption Elaine Taylor's)

RESPONSE:None.

m. Any and correspondence, including letters, emails, texts, facsimilies received by you from, or sent by you to, the Oklahoma County District Attorney's Office related in any way to *State of Oklahoma v. Daniel K. Holtzclaw*, CF-2014-5869. Same assumption as l, above.

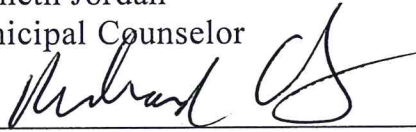
RESPONSE:None.

n. Copies of any reviews and/or notes of reviews of Ms. Taylor's testimony, in this or any other case, by any of her supervisors or other analysts, including but not limited to Campbell Ruddock.

RESPONSE:To the extent this request asks for personnel investigations, objection, irrelevant and privileged. See Response to request d. To the extent this is asking for the review of Ms. Taylor's testimony in this case, that review, as has been held by The Oklahoma Court of Criminal Appeals is a confidential investigation by the City of Oklahoma City for which the confidentiality has not been waived.

Respectfully Submitted,

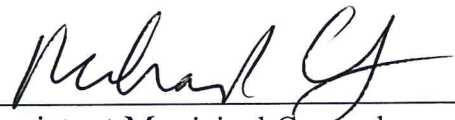
Kenneth Jordan
Municipal Counselor



Richard C. Smith, OBA # 8397
Sherri R. Katz, OBA # 14551
Thomas L. Tucker, OBA # 20874
Assistant Municipal Counselors
200 N. Walker, 4th floor
Oklahoma City, OK 73102
(405) 297-2451 Fax: (405) 297-3851
rick.smith@okc.gov;
sherri.katz@okc.gov
thomasltucker@okc.gov
Attorneys for Defendants City of
Oklahoma City, City and Gregory

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of December, 2018, a true and correct copy of Defendant The City of Oklahoma City and for its Responses to Defendant Holtzclaw's Second Set of Requests for Production of Documents was sent by prepaid, certified U.S. Mail to: Melvin C. Hall, 528 N.W. 12th Street, Oklahoma City, OK 73103, Cody Gilbert, 101 Park Avenue, Suite 1300, Oklahoma City, OK 73102, Attorneys for Plaintiffs; Chris Collins and Ambre C. Gooch, 429 NE 50th Street, Second Floor, Oklahoma City, OK 73105, Attorneys for Defendant Bennett; and Kathleen T. Zellner, 1901 Butterfield Road, Suite 650, Downers Grove, IL 60515, Attorney for Defendant Daniel Holtzclaw.



Assistant Municipal Counselor