

documents pursuant to this agreement.

After careful review, the Court rules as follows:

Defendants will produce copies of any citizen complaints concerning the use of excessive force or wrongful arrest by any of the individual defendants. If none exist, defendants will state this in writing.

Defendants will produce copies of any internal affairs investigations concerning the use of excessive force or wrongful arrest by any of the individual defendants. If none exist, defendants will state this in writing.

Defendants will disclose any arrest on felony or misdemeanor charges in the past ten (10) years. If none exist, defendants will state this in writing.

Defendants will disclose any motor vehicle arrests in the past ten (10) years. If none exist, defendants will state this in writing.

The Court has reviewed the personnel files of the individual defendants and finds that payroll evaluations, performance reviews and the initial applications and background investigations are not discoverable. This ruling is without prejudice to plaintiff's renewing his discovery request with a more specific showing. The personnel files contained no references to use of excessive force in this or in any other matter.

Defendants will comply with this order within ten (10) days.

This is not a recommended ruling. This is a discovery ruling and order which is reviewable pursuant to the "clearly

erroneous" statutory standard of review. 28 U.S.C. § 636
(b) (1) (A); Fed. R. Civ. P. 6(a), 6(e) and 72(a); and Rule 2 of
the Local Rules for United States Magistrate Judges. As such, it
is an order of the Court unless reversed or modified by the
district judge upon motion timely made.

ENTERED at Bridgeport this 3rd day of November 2005.

_____/s/_____
HOLLY B. FITZSIMMONS
UNITED STATES MAGISTRATE JUDGE