

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

TINENE E. BEAVER,)
)
 Plaintiff,)
)
 v.) Case No. 05-4131-RDR
)
 SUPERCUTS & REPRESENTATIVES, et al.,)
)
 Defendants.)

ORDER

This matter is before the Court on plaintiff's motion (Doc. 15) and defendant's motion (Doc. 16), each requesting that this Court order the Kansas Human Rights Commission ("KHRC") to produce to a copy of the KHRC's investigative file(s), exclusive of documents conciliatory or deliberative in nature, pertaining to charges filed by plaintiff Tinene E. Beaver against defendants Supercuts, Inc., and Karen E. Andrews, KHRC Case Nos. 27511-04 and 28218-04. Because each party has requested the Court to order production of these records, the Court can see no dispute with regard to whether either party's motion should be granted. Therefore, the Court finds that the documents that the parties seek appear to be relevant and discoverable and will grant the parties' respective motions requesting production, with minor modifications to conform to the court's standard procedure.

IT IS HEREBY ORDERED that plaintiff's motion (Doc. 15) and defendants' motion (Doc. 16) are hereby granted, with modifications as set forth hereinafter.

IT IS FURTHER ORDERED that the KHRC shall produce to any party to this action, or any attorney representing such a party, a copy of its investigative file(s) pertaining to charges filed by plaintiff Tinene E. Beaver against defendants Supercuts, Inc., and Karen E. Andrews, KHRC Case Nos. 27511-04 and 28218-04, except such portions thereof which may be of a deliberative or conciliatory nature or attorney work product of the KHRC's legal staff. The KHRC is ordered to allow copies of the same to be made at the expense of the party receiving such production. Should the KHRC consider that any items are of a deliberative or conciliatory nature or attorney work product of the KHRC's legal staff, copies of such items shall be forwarded to the undersigned judge for in camera inspection within 15 days of the date of this order. A brief summary of the documents submitted to the court shall be served on all parties in this case.

IT IS SO ORDERED.

Dated this 7th day of December, 2005, at Topeka, Kansas.

s/K. Gary Sebelius
K. Gary Sebelius
U.S. Magistrate Judge

cc: All counsel and the KHRC