IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

LINDA C. SPIVEY

Plaintiff,

vs.

THE CONGREGATIONAL HOME, d/b/a BREWSTER PLACE RETIREMENT COMMUNITY, Case No. 06-4041-RDR

Defendant.

<u>ORDER</u>

This matter is before the court on the motion of Plaintiff requesting that the court conduct and *in camera* inspection of the files and records of the Kansas Human Rights Commission in *Linda C. Spivey v. Brewster Place*, Case No. 28721-05 Amended. The present motion indicates that defendant does not object to the leave requested. Accordingly, the Court grants Plaintiff's motion (Doc. 14).

IT IS THEREFORE 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 *Linda C. Spivey v. Brewster Place*, Case No. 28721-05 Amended, 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.

Copies of this order shall be mailed to all counsel of record for the parties and to the KHRC.

IT IS SO ORDERED.

Dated at Topeka, Kansas, this <u>3rd</u> day of May, 2007.

<u>s/ K. Gary Sebelius</u> K. Gary Sebelius U.S. Magistrate Judge