

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

FREDDIE J. BORDERS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 07-2188-KHV
)	
ARCH ALUMINUM & GLASS)	
CO., INC.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on plaintiff Freddie Borders and Defendant Arch Aluminum & Glass Co., Inc.'s Motion for Order to Release KHRC Documents (Doc. 40). The present motion asks the court to order the KHRC to produce a copy of their investigative file(s) pertaining to charges concerning plaintiff, Freddie Borders, and all documents relating to KHRC Case No. 30232-06.

Upon reviewing the motion, the court finds sufficient cause exists that it be granted. Specifically, the court finds that the documents appear to be relevant and discoverable and will grant the parties' motion requesting production, with minor modifications to conform to the court's standard procedure.

IT IS HEREBY ORDERED that the parties' Motion for Order to Release KHRC Documents (Doc. 40) is 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 Freddie J. Borders against Arch Aluminum & Glass, Co., Inc., and KHRC Case No. 30232-06, except such portions thereof which may be of a deliberative or conciliatory nature or attorney work product of the KHRC's or EEOC'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 or EEOC'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 29th day of January, 2008, at Topeka, Kansas.

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

cc: All counsel, KHRC