

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

|                       |   |                           |
|-----------------------|---|---------------------------|
| JAMES B. WOOTEN, SR., | ) |                           |
|                       | ) | <b>CONSOLIDATED CASES</b> |
| Plaintiff,            | ) |                           |
|                       | ) |                           |
| v.                    | ) | Case No. 08-2508-CM       |
|                       | ) |                           |
| CERTAINTEED CORP.,    | ) |                           |
|                       | ) |                           |
| Defendant.            | ) |                           |
| <hr/>                 |   |                           |
| JAMES B. WOOTEN, SR., | ) |                           |
|                       | ) |                           |
| Plaintiff,            | ) |                           |
|                       | ) |                           |
| v.                    | ) | Case No. 08-2520-CM       |
|                       | ) |                           |
| CERTAINTEED CORP.,    | ) |                           |
|                       | ) |                           |
| Defendant.            | ) |                           |

**ORDER**

On October 6, 2009, the court granted the parties’ joint motion for an order directing the Kansas Human Rights Commission (“KHRC”) to provide records pertaining to the charge filed by the plaintiff, James B. Wooten, Sr., against the defendant, CertainTeed Corp, (KHRC Case Nos. 31841–08 and 32218–09) (doc. 47). The court ordered the KHRC to submit any portion of the investigative file which it believed to be of a deliberative or conciliatory nature or attorney work product of the KHRC’s legal staff for in camera review.

The court has reviewed the document submitted by the KHRC and finds that it is of a deliberative or conciliatory nature or attorney work product and, therefore, is not

discoverable.

Copies of this order shall be served on all counsel of record and on the KHRC.

IT IS SO ORDERED.

Dated this 30th day of October, 2009, at Kansas City, Kansas.

s/ James P. O'Hara  
James P. O'Hara  
U.S. Magistrate Judge