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16 Attorneys for Plaintiff

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 SAN FRANCISCO DIVISION

20 CASE NO. [REDACTED]

21 [REDACTED]
22 Plaintiff,

Plaintiff's Statement of Discovery Dispute

23 vs.

24 FRANK BISIGNANO, COMMISSIONER OF
25 THE SOCIAL SECURITY
26 ADMINISTRATION (SSA).

27 Defendant.
28

1 Counsel for the parties met and conferred by Zoom on September 10, 2025, and via written
2 communications before and after this session. The dispute concerns Plaintiff’s RFP No. 2 (July 11,
3 2025), Exh. A, and Defendant’s responses provided August 11 and 12, 2025. On August 28, 2025,
4 Plaintiff sent Agency counsel a “meet and confer” letter stating:

5 Plaintiff seeks all documents that reference Plaintiff and that are maintained in SSA’s
6 systems ... These materials are critical to our ability to demonstrate that Defendant has
7 failed to accommodate Plaintiff or to ensure effective communication. Defendant has not
8 reasonably responded to this request ... Plaintiff seeks documents related to SSA policies
and practices about reasonable accommodations and effective communication for
individuals with disabilities.

9 On September 10, 2025, counsel for all parties participated in a “meet and confer” Zoom
10 meeting. On September 12, 2025, Plaintiff’s counsel emailed Agency counsel confirming:

11 The Agency will consider further production of documents in the name of [REDACTED].
12 The Agency requested that Plaintiff narrow the request. We [Plaintiff] stated that we do not
13 need medical records held by the Agency. ... The Agency will produce additional
14 documents regarding the Agency's policies, practices, and procedures related to reasonable
accommodation and effective communication. We are also interested in training
documents related to this topic.

15 On September 17, 2025, the Agency emailed that it “is willing to produce the available
16 documentation about its communications with Plaintiff from his MSSICS and his claim file that he
17 would not have already received.” On September 25, 2025, Defendant produced USA001653-
18 USA001743. On September 26, 2025, Plaintiff’s counsel wrote:

19 Based on my quick review, the dates on Reports [of Contact] are pretty disparate – are
20 these the universe of such Reports for a particular date range? If yes, what is the date
21 range? We request all Reports of Contact (or any other documentation of contacts) ...

22 [W]e continue to need copies of the written notices mailed to Plaintiff ... As a periodically
23 unhoused and previously incarcerated person with schizophrenia, Plaintiff does not have
24 these documents. These Notices are directly relevant to Plaintiff's claims because they
25 memorialize communications between the Agency and Plaintiff. The Agency has stated
26 that it has implemented a reasonable accommodation request of providing Notices in
English language at the 6th to 8th grade reading level. But I see Notices sent to Plaintiff
that are scoring at much higher reading levels (for example, 10th grade, 12th grade, and
college level English). We need to see all of these Notices for a number of reasons,
including to understand whether or not they are accessible ...

27 On September 29, 2025, Plaintiff’s counsel took the deposition of [REDACTED]. During
28

1 the deposition, Plaintiff's counsel identified numerous relevant documents that remain unproduced
2 by defendant. This situation mirrors barriers faced by Plaintiff's counsel in October 2024, when
3 Agency counsel confirmed in email communications that it was making unilateral determinations
4 regarding what documents were relevant to Plaintiff's claims and that the Agency would produce.

5 On October 1, 2025, Plaintiff's counsel wrote to Agency counsel:

6 [A]fter the deposition of ██████████, it is clear that Plaintiff needs his entire electronic file
7 (minus medical records) from 2020 to the present. Receiving piecemeal portions of the
8 electronic file is inadequate. To give one example, we do not have the Notice sent to
9 Plaintiff to schedule the January 24, 2020, interview. We don't know the content or
10 accessibility of the Notice (including the level of English) and we don't know the date on
11 the mailing. We want to understand how this Notice fits into ██████████ disability
12 situation [involuntary hospitalization from December 28, 2019, to January 16, 2020], and
13 how it fits into ██████████ ability to prepare ahead of time, including with respect to
14 disability characteristics. To give another example, we do not have the "snapshot"
15 document created by the medical department which describes ██████████ diagnosis, that
16 he was medically approved, and stating his capabilities.¹ ██████████ testified that he
17 reviewed this document before the interview. We need to know the format and content of
18 such a "snapshot" document that is available to Claims Specialists prior to interviews. To
19 give a third example, we do not know which supportive documents (such as those
20 generated by ██████████ sister, mother, and social worker which included information
21 about ██████████ disability) were received or considered by SSA during the initial
22 assessment of his assets and in processing the motion for reconsideration. It is not possible
23 for us to fully discover the facts underlying Plaintiff's claim without the complete file.

24 The same day (October 1, 2025), the federal government shut down. This case was stayed on
25 October 2, 2025.

26 On November 13, 2025, the federal government reopened. Plaintiff has sought
27 participation of the Agency in this statement. Plaintiff seeks an order requiring Defendants to
28 produce and document referencing ██████████ or contained in his digital claims files (excluding
medical records); any document containing or memorializing the Agency's policies, practices, and
procedures related to reasonable accommodation and/or effective communication, and any training
documents related to reasonable accommodation and/or effective communication. Plaintiff also
seeks leave to depose ██████████ regarding such additional documents.

1 ██████████ may be referring to a document by the Disability Determination Services (DDS) which
is administered for Social Security Administration by the California Department of Social Services.
But we do not know until we see it. If created before 2020, this document shows Plaintiff's need for
materials created prior to 2020 but which are still an active part of his file.

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DISABILITY RIGHTS EDUCATION AND
DEFENSE FUND

Dated: November 25, 2025

By: _____
 /s/
 CLAUDIA CENTER

PEOPLE WITH DISABILITIES FOUNDATION

Dated: November 25, 2025

By: _____
 /s/
 STEVEN BRUCE