

1 WO

2

3

4

5

6

7

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

8

9

10

11

12 Equal Employment Opportunity)  
Commission, )

13 )  
Petitioner, )

No. CIV 09-0209 PHX RCB

14 )  
vs. )

O R D E R

15 )  
Bashas', Inc., )

16 )  
Respondent. )

17

18 On September 30, 2009, this court, *inter alia*, granted the  
19 "Motion for Leave to Conduct Limited Discovery" by respondent,  
20 Bashas', Inc. E.E.O.C. v. Bashas', Inc., 2009 WL 3241763, at  
21 \*17 (D.Ariz. 2009) ("E.E.O.C. II"). Since then, Bashas' has  
22 served several forms of discovery upon the E.E.O.C.  
23 Additionally, Bashas' has served subpoenas on six other non-  
24 party entities and individuals.

25 From the E.E.O.C.'s perspective, the requested discovery is  
26 "far beyond what the Court envisioned in" E.E.O.C. II. Mot.  
27 (doc. 46) at 1:27-28 (citation omitted). Therefore, on October  
28 26, 2009, the E.E.O.C. filed the pending "Motion to Clarify

1 Order Granting Limited Discovery" (doc. 46). Because its  
2 discovery responses currently are due on November 7, 2009, the  
3 E.E.O.C. also is requesting a stay of the time in which to  
4 respond to Bashas' discovery requests, and an "expedited ruling"  
5 on this motion. Id. at 2:2-3.

6 The court hereby ORDERS that:

7 (1) in accordance with the applicable rules and law,  
8 Bashas' shall timely file and serve its response to the  
9 E.E.O.C.'s Motion to Clarify;

10 (2) in accordance with the applicable rules and law, the  
11 E.E.O.C. shall timely file and serve its reply; and

12 the court FURTHER ORDERS that:

13 (3) given this recently filed motion to clarify and the  
14 fairly imminent discovery response deadline, the court hereby  
15 VACATES the November 7, 2009 discovery deadline. After full  
16 briefing, in its ruling on the E.E.O.C.'s motion to clarify, the  
17 court will set a new discovery response deadline.

18 DATED this 27th day of October, 2009.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
\_\_\_\_\_  
Robert C. Broomfield  
Senior United States District Judge

Copies to counsel of record