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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANCISCO RODRIGUEZ, et al.,
Plaintiffs,
v.
DANELL CUSTOM HARVESTING, LLC, et
al.,
Defendants.

Case No. 1:16-cv-01848-SAB
ORDER REQUIRING PARTIES TO FILE
JOINT SUPPLEMENTAL BRIEFING
DEADLINE: JUNE 12, 2017

On May 25, 2017, Plaintiff filed a stipulation concerning discovery, a stay of the action, and mediation. (ECF No. 20.) The parties request that the Court approve their proposed form of notice to potential class members regarding the potential class members’ privacy rights in the production of certain information (“notice”) (ECF No. 20 at 24-27). If the individuals do not return the opt out notice postcard by the deadline, then the information will be disclosed to the attorneys for Plaintiffs. The proposed notice is in English and the parties do not mention that the notice will be sent in any other languages.

The Court is concerned whether the mailing of the notice in only English will provide sufficient notice to the potential class members and a sufficient opportunity for the potential class members to opt out of the disclosure of their information. A number of the notices of consent to

1 join as party plaintiff contain both English and a Spanish translation. (ECF No. 1 at 23-256.) It
2 may be reasonable for the notice to be translated and sent in Spanish or even other languages. If
3 a potential class member is unable to understand the notice, then that will not be sufficient
4 notice. Therefore, the Court will require the parties to file a joint briefing to supplement the
5 stipulation concerning discovery, stay of the action, and mediation, which shall address whether
6 the mailing of the notice in only English will be sufficient to provide notice to potential class
7 members and allow potential class members an opportunity to opt out of disclosure of their
8 information.

9 Accordingly, IT IS HEREBY ORDERED that the parties shall file a joint supplemental
10 briefing **on or before June 12, 2017**, addressing whether the mailing of the notice in only
11 English will be sufficient to provide notice to the potential class members and give the potential
12 class members an opportunity to opt out of disclosure of their information.

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14 IT IS SO ORDERED.

15 Dated: June 6, 2017



UNITED STATES MAGISTRATE JUDGE

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