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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SUSI McFARLAND,  
Plaintiff,  
v.  
ALMOND BOARD OF CALIFORNIA, et  
al.,  
Defendants.

No. 2:12-cv-2778 JAM CKD

ORDER

The motion for protective order brought by defendant Almond Board of California (“Almond Board”) came on regularly for hearing October 2, 2013. Galen Shimoda appeared for plaintiff. Ian Wieland appeared for defendant Almond Board. Mike Baytosh appeared for defendant Birmingham. Upon review of the documents in support and opposition, upon hearing the arguments of counsel, and good cause appearing therefor, THE COURT FINDS AND ORDERS AS FOLLOWS:

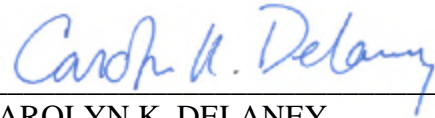
1. Defendant’s motion for protective order (ECF No. 40) is granted in part. The privacy interests of non-party Jenny Konschak will be appropriately accommodated by an in camera review of her personnel file to ensure that only matters relevant to the claims are disclosed. No

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1 later than October 9, 2013, defendant Almond Board shall submit to the chambers of the  
2 undersigned a bate-stamped copy of the personnel file of Jenny Konschak.<sup>1</sup>

3 2. In light of the allegations of the complaint and after review of the evidentiary materials  
4 submitted in support and opposition to the pending motion, the court concludes that defendant's  
5 proposed protective order is not warranted and would unduly circumscribe plaintiff's legitimate  
6 scope of discovery. The motion for protective order is accordingly denied as to the requested  
7 limitations on areas of inquiry.

8 Dated: October 3, 2013



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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26 <sup>1</sup> If the parties have further disputes about production of personnel files of non-parties to the  
27 action, the parties may submit a joint letter brief, not to exceed four pages, along with a bate-  
28 stamped copy of the personnel files at issue for in camera review. A motion need not be formally  
noticed and the matter will be submitted upon the court's receipt of the bate-stamped personnel  
files.