UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JUAN OROZCO and JUAN OROZCO-BRISENO, individuals, on behalf of themselves and on behalf of all persons similarly situated,

Plaintiff,

vs.

ILLINOIS TOOL WORKS, INC., a Corporation, and Does 1 through 50, inclusive,

Defendants.

Case No. **14-CV-02113-MCE-EFB**
(Class Action)

~~[PROPOSED]~~ ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' MOTION TO COMPEL FURTHER RESPONSES TO DISCOVERY REQUESTS

The Court, having considered the briefing of the Parties and having heard the arguments of counsel, HEREBY ORDERS the following:

1. Regarding Plaintiffs' request for production nos. 12 and 13, within two (2) weeks of this Order, Defendant shall produce all of Defendant's policies regarding meal and rest periods relating to all non-exempt hourly employees employed by Defendant in California between March 27, 2010 through the present.
2. Regarding Plaintiffs request for production nos. 2 and 4, within two (2) weeks of this Order, Defendant shall produce Plaintiffs' daily time and wage data – *i.e.*, the information that was used to calculate Plaintiffs' wages and used to generate Plaintiffs' itemized wage statements and corresponding paychecks – in the electronic ~~Excel~~ format in which the documents are ordinarily maintained. To the extent no such responsive documents exist, defendant shall provide a verified certification, completed by an individual with personal knowledge, stating the no such documents exist.
3. Regarding Plaintiffs' request for production no. 3, within two (2) weeks of this Order, Defendant shall produce Plaintiffs' itemized wage statements in the form in which they were issued to Plaintiffs at the time of the issuance of their corresponding paychecks.
4. Regarding Plaintiffs' special interrogatory no. 6 and request for production no. 8, Plaintiffs' request for the names, dates of employment, last known telephone numbers, last known addresses and last known email addresses of every putative class member in an electronic, Microsoft Excel spreadsheet subject to a stipulated protective order is DENIED without prejudice.
5. Plaintiffs' request for further responses to Plaintiffs' special interrogatories nos. 10-13 and requests for production nos. 9 and 11is DENIED.

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6. Defendant's objections in regards to the appearance of Defendant's 30(b)(6) witness for deposition are overruled. Defendant's designated witness(es) is to appear by December 15, 2015. Defendant's objections as to deposition topics 2, 7, 8, and 10 only are SUSTAINED.

IT IS SO ORDERED.

DATED: November 3, 2015.

HONORABLE Edmund F. Brennan
United States Magistrate Judge