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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIGUEL A. CRUZ,

Case No. C07-02050 SC (JCS)

Plaintiff(s),

v.

**ORDER GRANTING IN PART,
DENYING IN PART MOTION TO
COMPEL (JOINT LETTER BRIEF)
[Docket Nos. 238 and 178]**

DOLLAR TREE STORES INC.,

Defendant(s).

RELATED ACTION

ROBERT A. RUNNINGS,

Related Case No. C07-4012 SC (JCS)

Plaintiff(s),

v.

DOLLAR TREE STORES INC.,

Defendant(s).

On May 28, 2010, the parties filed a Joint Letter Brief to Compel Class Discovery Requests [docket nos. 238 in C07-4012 SC and 178 in C07-2050 SC].

On June 9, 2010, a hearing was held on the Joint Letter Brief. Molly Kuehn, counsel for Plaintiffs, appeared. Matthew Vandall, counsel for Defendant, appeared.

For reasons stated on the record, and good cause shown, IT IS HEREBY ORDERED that:

1. Plaintiffs' objections to Interrogatories 1 and 2 directed to the class members are overruled in part. Interrogatory 1 shall be answered. Interrogatory 2 shall be modified to request that the responding class member state the total number of meal or rest breaks that they contend they were unable to take while working as a store manager during the class period.

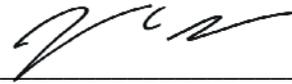
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2. Plaintiffs’ objections to Request for Production Nos. 1 and 2 directed to class members are overruled in part. These requests shall be modified to seek only documents in the custody or control of the class members that refer to the number of hours worked each week for Dollar Tree as a store manger, or to any missed meal or rest breaks, during the class period.
3. Plaintiffs’ objections to Interrogatory 3 directed to class members are overruled in part. This interrogatory shall be modified to seek a description of all tasks performed as a store manager in a typical work week, and a general description of all other tasks performed as a store manager, during the class period.
4. Plaintiffs’ objections to Interrogatory 5 directed to class members are overruled in part. This interrogatory shall be modified to seek a general description of prior retail experience, i.e. each position, employer, and duration of the position.
5. Plaintiffs’ objections to Interrogatory 6 directed to class members are overruled in part. This interrogatory shall be modified to seek a description of any training received at Dollar Tree for the store manager position.
6. Plaintiffs’ objections to Interrogatories 7 and 8 directed to class members are overruled in part. Interrogatory 7 shall be modified by striking the words in subpart 3 “in as much detail as possible” and substituting the word “generally.” Interrogatory 8 shall be modified by striking the words in subpart 3 “in as much detail as possible” and substituting the word “generally.”
7. Defendant’s motion to deem admitted the matters asserted in the Requests for Admission is denied. The Court has previously ruled on the objections restated in the amended responses.
8. Defendant shall submit to Plaintiffs’ counsel, forthwith, the Interrogatories and Requests for Production modified to conform with this Order and to the agreements of the parties. Those modified requests shall be served on the class members immediately. All responses to these document requests (including documents produced) and interrogatories are due on or before **July 16, 2010**.

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IT IS SO ORDERED.

Dated: June 9, 2010



JOSEPH C. SPERO
United States Magistrate Judge