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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JULIE CAMPANELLI, SABRINA
ANDERSON, NANCY SMITH, TARYN
SEDGELEY, DANIEL GOLIN,
FRANCIS MCKEEVER, BRYAN
MILLER, JAMES AMICARELLA,
JOSEPHINE GODFREY, JOHN
MICHALSKI, KAREN METZGER,
ROBERT MUSOLF, SCOTT WOOD,
JUAN CARLOS LOPEZ, CHRIS
NIELSEN, ANNE COMPTON, PHYLLIS
DAVIS, ANDREW LEVISON,
CHARLOTTE BRYNN ALLEN,
DANIEL HALLARAN, RON ROBERTS,
KIM TRACY and RYAN PARSONS, on
their own behalf and on behalf of all
others similarly situated,

Plaintiffs,

v.

THE HERSHEY COMPANY,
Defendant.

Case No. C 08-1862 BZ

~~[PROPOSED]~~ ORDER
FOLLOWING DECEMBER 20,
2010 STATUS CONFERENCE

Following the December 20, 2010, status conference in the above-captioned matter, **IT IS ORDERED** as follows:

1. Defendant's request to compel interrogatory responses regarding the post-Hershey employers of named plaintiffs is denied.
2. Defendant's request to compel depositions of 15 opt-in plaintiffs is denied. Plaintiffs shall provide to Defendant the availability for deposition of the five opt-in plaintiffs referenced in Defendant's December 3, 2010, letter no later than close of business on December 22, 2010. (*See also* ¶ 4, *infra*.)
3. Defendant's request to compel answers to requests for production of documents and interrogatories from 25 opt-in plaintiffs is granted in part and denied in part. Plaintiffs shall provide substantive responses from ten opt-in plaintiffs of

1 Defendant's choosing by close of business on January 10, 2011. Defendant shall identify
2 these ten opt-in plaintiffs by close of business on December 23, 2010.

3 4. To the extent the Defendant so requests and Plaintiffs do not agree, if
4 Hershey can demonstrate to the Court that the information it is receiving thus far is
5 helpful to its defenses, the Court will revisit Defendant's requests for additional
6 depositions and written discovery from opt-in plaintiffs after Defendant has taken the
7 depositions and received the written discovery referenced in paragraphs 2 and 3, *supra*.
8 This Court's decision regarding additional opt-in discovery will be principally based on
9 the content of the information obtained by Defendant through the initial five depositions
10 and ten sets of discovery responses.

11 5.

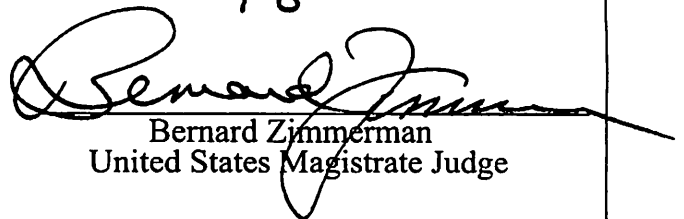
12 (a) [Defendant's proposal] Plaintiffs will disclose their trial witnesses
13 (excluding witnesses called strictly for impeachment or rebuttal) to Defendant by
14 close of business on January 10, 2011. Defendant will disclose its trial witnesses
15 (excluding witnesses called strictly for impeachment or rebuttal) to Plaintiffs by
16 close of business on ~~February 1~~ ^{January 17}, 2011.

17 ~~(b) [Plaintiffs' proposal] The parties will exchange their preliminary~~
18 ~~witness lists on February 1, 2011.~~

19 6. A further status conference will be held on January ~~10~~ ^{B11}, 2011, at ~~11:00 AM~~ ^{11:00 AM} the
20 parties shall file separate status reports no later than noon on January ~~10~~ ²⁴, 2011.

21 7. The trial in this matter shall commence on April ~~10~~ ¹⁸, 2011.

22 Dated: December 22, 2010.

23
24 
25 Bernard Zimmerman
26 United States Magistrate Judge

27 809945