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28UNITED STATES DISTRICT COURT  
Northern District of California

SERVICE EMPLOYEES,

Plaintiff(s),

v.

SEIU UNITED HEALTHCARE WORKERS,

Defendant(s).  
\_\_\_\_\_ /

No. C 09-00404 WHA (MEJ)

**DISCOVERY ORDER RE: DKT #445**

The Court is in receipt of a joint discovery dispute letter, filed December 30, 2009 (Dkt. #445), regarding the Education Fund Defendants' request to compel responses to interrogatories served on Plaintiffs on November 2, 2009. The dispute concerns the scope of Judge Alsup's Second Case Management Order, filed July 15, 2009, in which he provided that each side may propound 35 interrogatories. (Dkt #324.) The Education Fund Defendants contend that they constitute a separate "side" for purposes of Judge Alsup's Order; Plaintiffs contend that they do not. As this issue requires an interpretation of Judge Alsup's Case Management Order, the undersigned magistrate judge finds that it is a case management issue beyond the scope of Judge Alsup's discovery referral. Accordingly, the parties shall present the issue to Judge Alsup in the form required under his case management and standing orders.

**IT IS SO ORDERED.**

Dated: December 30, 2009

  
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Maria-Elena James  
Chief United States Magistrate Judge