

UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ERIC GUNDERSEN,

Plaintiff,

No. C 09-2270 CRB (MEJ)

v.

LENNAR ASSOCIATES MANAGEMENT
LLC, et al.,

**DISCOVERY ORDER RE CONTACT
INFORMATION DISPUTE
(DKT #65)**

Defendants.

The Court is in receipt of the parties' joint letter, filed May 5, 2010, regarding Plaintiff's request for Defendant Lenmar Associates Management ("Lenmar") to disclose contact information for putative class members in this alleged overtime misclassification case. (Dkt. #65.) Plaintiff seeks the name, home address, and telephone number for all 462 current and former Lenmar Assistant Construction Managers ("ACMs") in California. Defendant argues that it has already produced contact information for 47 ACMs, but Plaintiff has made little effort to substantiate his allegations by contacting these putative class members.

Upon review of the parties' arguments, the Court finds that Plaintiff has not shown why a representative sample of 47 ACMs is not sufficient to substantiate his allegations. However, the Court notes that the contact information for some of the 47 ACMs may no longer be valid. Accordingly, the Court shall permit Plaintiff the opportunity to obtain the contact information for a representative sample of ACMs whose contact information is still valid. To facilitate this, the Court ORDERS as follows: Plaintiff shall provide a list of those ACMs out of the 47 already provided whose contact information is no longer valid, and Lenmar shall then provide contact information for the same number of ACMs. The parties shall meet and confer to determine which ACMs' contact information shall be provided. Said production shall be on a statewide basis.

IT IS SO ORDERED

Dated: May 26, 2010



Maria-Elena James
Chief United States Magistrate Judge