

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARY TSANG,
Plaintiff,

No. C -12-00427 CRB (EDL)

**ORDER FOLLOWING SETTLEMENT
CONFERENCE**

v.

OFFICE DEPOT,
Defendant.

On May 8, 2013, the Court held a settlement conference in this matter. The parties have separately provided the Court with updates on the status of the ongoing settlement discussions. To facilitate settlement, and not as admissions, Defendant shall provide Plaintiff with the following information no later than May 23, 2013:

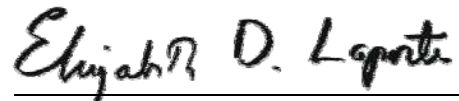
1. The date that Defendant believes that each Plaintiff started working in an exempt store manager position in California or the statute of limitations date, whichever is later, and specifying which of those dates Defendant used.
2. The date that Defendant believes that each Plaintiff stopped working in an exempt store manager position, which Defendant represents it derived from Plaintiffs' personnel files, which have been provided to Plaintiffs.
3. The number of weeks that Defendant believes that each Plaintiff was employed in an exempt store manager position, assuming fifty weeks per year of work.
4. The final pay rate of each Plaintiff.
5. The amount of hours that Defendant believes that each Plaintiff claims as hours worked and, the basis for its understanding, e.g., if based on pleadings or other documents previously exchanged, filed and/or disclosed in discovery, the citation (e.g., the bates number of a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

document or the page cite for a deposition). However, Defendant need not disclose expected testimony of any witness who has not yet been deposed.

IT IS SO ORDERED.

Dated: May 15, 2013



ELIZABETH D. LAPORTE
United States Chief Magistrate Judge