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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RORY ARMSTRONG,
Plaintiff,
v.
BAUER'S INTELLIGENT
TRANSPORTATION, INC.,
Defendant.

Case No. [13-cv-02691-MMC](#) (MEJ)

DISCOVERY ORDER

Re: Dkt. No. 47

On June 10, 2014, the Court ordered Defendant Bauer's Intelligent Transportation, Inc. to produce a representative sample of Route Sheets for all corporate transit work performed during the period from March 29, 2009 onwards. Dkt. No. 43. The Court ordered the parties to meet and confer to determine a reasonable sampling. Now before the Court is Plaintiff Rory Armstrong's Request for Court to Fashion Alternative Discovery Procedure, filed July 8, 2014. Dkt. No. 47. In his request, Plaintiff states that the parties met and conferred on June 13, 2014, at which time Defendant disclosed for the first time that it does not have any Route Sheets for the years 2009, 2010, or before a certain date in 2011. Plaintiff requests that the Court order Defendant to (1) produce all Route Sheets in an unredacted form, for all corporate shuttle work performed from 2011 and onwards, and also (2) provide names and contact information for all clients for whom corporate shuttle work was performed from March 29, 2009 up through the date in 2011.

Upon review of Plaintiff's request, the Court finds that Plaintiff has not shown good cause to require Defendant to produce all Route Sheets at this stage in the litigation. Accordingly, the Court DENIES Plaintiff's requests. The parties shall comply with the June 10 Order, but limited to a representative sample for Route Sheets available from 2011 onwards. The Court ORDERS Defendant to serve on Plaintiff, by July 17, 2014, a declaration from its person most

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knowledgeable that it does not have any Route Sheets for the years 2009, 2010, or before a certain date in 2011 in its possession, custody, or control.

IT IS SO ORDERED.

Dated: July 10, 2014



MARIA-ELENA JAMES
United States Magistrate Judge