

1  
2  
3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA

5  
6 MICHAEL ALLAGAS, et al.,  
7 Plaintiffs,

8 v.

9 BP SOLAR INTERNATIONAL, INC., et  
10 al.,  
11 Defendants.

Case No. 14-cv-00560-SI (EDL)

**ORDER**

Re: Dkt. No. 126

12 In response to this Court's September 16, 2015 order and Plaintiffs' September 30, 2015  
13 letter, on October 1, 2015, Defendant BP offered to produce a random sample of 1,000 warranty  
14 claims for panels produced at its factories in Madrid and Bangalore. On October 9, 2015,  
15 Plaintiffs filed a letter indicating that they are "open to accepting a sample, but need some  
16 summary level information to evaluate the adequacy of the sample size, and to be able to draw  
17 inferences from the sample." It appears that at least some of the summary level information  
18 Plaintiffs seek, such as the total number of claims from which the sample will be drawn and the  
19 number of panels associated with those claims, would be useful in assessing the merits of  
20 Defendant's sampling proposal. It is unclear whether breaking that information down by  
21 manufacturing site and year would be unduly burdensome compared to its value. Accordingly,  
22 Defendant is ordered to either produce the requested information or file a letter of no more than  
23 four pages by October 22, 2015 explaining why the production of this information would be  
24 disproportionate.

**IT IS SO ORDERED.**

Dated: October 19, 2015

25  
26   
27 ELIZABETH D. LAPORTE  
28 United States Magistrate Judge