

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

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AARON SENNE, et al.,  
Plaintiffs,

v.

KANSAS CITY ROYALS BASEBALL  
CORP., et al.,  
Defendants.

Case No. [14-cv-00608-JCS](#)

**ORDER GRANTING MOTION TO  
COMPEL THIRD-PARTY DISCOVERY**

Re: Dkt. No. 441

The Court has reviewed the Joint Letter submitted October 9, 2015 by Plaintiffs and Cleveland Indians Baseball Co., L.P. and Cleveland Indians Baseball Co., Inc. (collectively, the “Cleveland Indians”), and finds the matter appropriate for disposition without oral argument.

The Cleveland Indians have been subpoenaed to produce payroll data concerning all absent class members who played for them. Rule 45 of the Federal Rules of Civil Procedure commands that the subpoenaing party “must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena.” Here, the disclosures Plaintiffs seek are relevant to the issues raised in the upcoming motions for class certification and for decertification. *See* Dkt. No. 414. The disclosures requested in the subpoena would not impose an undue burden or expense under Rule 45. Nonetheless, Plaintiffs have offered to limit the disclosures to a random sample of thirty-five (35) minor league players per franchise, per year, for each year since 2008.

Accordingly, the Court hereby ORDERS that:

1. The Cleveland Indians shall produce payroll data for a random sample of thirty-five (35) minor league players per franchise, per year, for each year since 2008.
2. The Cleveland Indians are ordered to maintain all payroll data for all putative class members from 2008 to the present, pending further order of the Court.
3. For all other Rule 45 subpoenas (seeking, *inter alia*, payroll data for the class

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

members in this case) served by Plaintiffs in this matter on non-party franchises,  
the parties are directed to provide a copy of this Order to all judges before whom  
motions addressed to those subpoenas are pending or are filed in the future.

**IT IS SO ORDERED.**

Dated: October 14, 2015

  
\_\_\_\_\_  
JOSEPH C. SPERO  
Chief Magistrate Judge