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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FADI SABA,

Plaintiff,

v.

UNISYS CORP.,

Defendant.

No. C-14-01310 WHO (DMR)

**ORDER ON JOINT DISCOVERY
LETTERS [DOCKET NOS. 30, 35]**

The parties filed joint discovery letter briefs on October 9 and 17, 2014 in which Plaintiff Fadi Saba moves to compel Defendant Unisys Corporation (“Unisys”) to produce further discovery responses and witness contact information. [Docket Nos. 30 (Oct. 9, 2014 Letter), 35 (Oct. 17, 2014 letter).] The court conducted a telephonic hearing on both matters on November 20, 2014. This order summarizes the rulings made on the record at the hearing.

I. Motion to Compel (Docket No. 30)**A. Category 1 (RFPs 12, 13)**

The parties shall immediately meet and confer regarding search terms and quality control measures as directed by the court. Defendant asserts that the current list of search terms yields 6700 documents, and that many of them are irrelevant. The court instructed the parties to engage in a cooperative “quality control” process by jointly reviewing a sample of the irrelevant documents and making adjustments to the search terms accordingly. If any dispute remains after meeting and

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3 conferring, the parties shall file a joint letter that does not exceed two pages by no later than
4 December 2, 2014.

5 **B. Category 2 (RFPs 18-22)**

6 Plaintiff's motion to compel similar complaints involving the Global Windows & Cloud
7 Support Group is denied without prejudice. Defendant may limit its response to lawsuits or charges
8 involving allegations of refusal to accommodate a request for family medical leave, retaliation for
9 requesting and/or taking family medical leave, and retaliation for whistleblowing against Hartzler
10 and Buckner since 2009. Plaintiff may move to compel Defendant to expand its response to include
11 all responsive complaints made in the Global Windows & Cloud Support Group if he is able to
12 identify facts supporting a broader definition of the scope of relevant information.

13 **C. Category 3 (RFPs 44-46)**

14 Plaintiff's motion to compel job descriptions and salary/bonus structure information for
15 Bradley Young and Richard Digrigoli is granted. Defendant shall produce responsive documents by
16 December 1, 2014. To the extent that it has not already produced them, Defendant shall also
17 produce job descriptions as to the six other individuals listed in RFP 46 by December 1, 2014.

18 **D. Category 4 (RFPs 50-53)**

19 Defendant shall expand its search for responsive documents to include the following five
20 custodians: Bob Ricci, Helen Baker, Josiah Hawks, Brian Socolovsky, and Ezra Gray.

21 **II. Motion to Compel Witnesses' Contact Information (Docket No. 35)**

22 Plaintiff's motion to compel Defendant to produce contact information for Christopher
23 Rusek, Hani Jaber, and Robert Black is granted. Defendant shall produce the contact information by
24 no later than December 1, 2014. Upon contacting any of these three witnesses, Plaintiff's counsel
25 must: 1) identify himself and explain his role in this litigation; 2) inform the witness that he is not
26 obligated to speak with Plaintiff's counsel; and 3) explain that Plaintiff's counsel does not want the
27 witness to reveal any Unisys attorney-client communications learned directly or indirectly from an
28 attorney because Plaintiff's counsel is not entitled to that information. If a witness begins to reveal

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attorney-client privileged information to Plaintiff's counsel, counsel must stop the witness from revealing such information and immediately inform defense counsel.

IT IS SO ORDERED.

Dated: November 21, 2014

