

UNITED STATES DISTRICT COURT
For the Northern District of California

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STEVEN MCARDLE, an individual, on behalf of himself, the general public and those similarly situated,

Plaintiff,

vs.

AT&T MOBILITY LLC; NEW CINGULAR WIRELESS PCS LLC; NEW CINGULAR WIRELESS SERVICES, INC., and Does 1-50

Defendants. /

No. C 09-1117 CW (MEJ)

ORDER RE: DISCOVERY DISPUTE (DKT. NO. 214)

The Court is in receipt of the parties' joint discovery dispute letter, filed December 20, 2012. Dkt. No. 214. Upon review of the parties' letter, the Court hereby ORDERS Defendants to respond to Plaintiff's discovery requests only as they relate to the validity of the arbitration agreement at issue in this case. Defendants need not respond to Plaintiff's requests that relate to other agreements, disputes, arbitrations, and lawsuits relating to other customers. *See Meyer v. T-Mobile USA Inc.*, 836 F. Supp. 2d 994, 1007 (N.D. Cal. 2011) (disallowing discovery where the requests focused not on the plaintiff's arbitration agreement, but instead focused on all agreements, disputes, arbitrations and lawsuits relating to T-Mobile customers).

Given that Judge Wilken only recently granted Plaintiffs leave to conduct limited discovery regarding matters relevant to generally applicable contract defenses, it does not appear that the parties have had the opportunity to meet and confer to determine whether they are able to agree on the scope of relevant discovery. Thus, if the parties are unable to fully resolve their dispute after issuance of this Order, the parties are ORDERED to meet and confer in person and thereafter file an updated joint letter (or letters), if necessary.

IT IS SO ORDERED.

Dated: December 21, 2012



Maria-Elena James
Chief United States Magistrate Judge