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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRY DOUBT,

Case No. C09-05917 SBA (JCS)

Plaintiff(s),

**DISCOVERY ORDER RE: JOINT
DISCOVERY LETTER [Docket No. 46]**

v.

NCR CORPORATION,

Defendant(s).

On November 5, 2010, the parties filed a Joint Discovery Dispute Letter for production of documents, deposition scheduling, request for admissions, and request to take more than ten (10) depositions. The Court previously ordered an in person meet and confer, and the Joint Letter, in an effort to streamline the resolution of these and other discovery disputes. Nonetheless, the Joint letter consists of 69 single spaced pages, not including exhibits, and displays an inability to agree on many of the simplest disputes. The Court expects the parties to work more cooperatively and efficiently together in the future. All future joint letters are limited to ten (10) pages.

While both sides bear some portion of the blame for this problem, by far the largest share falls on counsel for the Plaintiff. In this relatively simple, single plaintiff employment matter, Plaintiff's counsel has chosen to propound more than one hundred document requests. Most of the requests at issue are at least overbroad. Even after Defendant agreed to produce many categories of documents, Plaintiff's efforts to reduce the scope of these facially objectionable requests were ineffectual in eliminating their overbreadth. The Court rules as set forth below.

IT IS HEREBY ORDERED THAT:

1. In response to Request Nos. 6 and 7, Defendant is ordered to produce all PIPs for CEs in the 750B territory.

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2. In response to Request Nos. 8 and 9, Defendant is ordered to produce all responsive emails to or from Plaintiff referring to Plaintiff's performance, or complaints about working conditions or violations of law.
3. In response to Request Nos. 35 - 38, Defendant is ordered to produce responsive information for the 750B territory. Names of other bonus recipients may be redacted.
4. The Motion to Compel with respect to Request Nos. 89 and 90 is Denied. The requests are overbroad.
5. The Motion to Compel with respect to Request No. 91 is Denied. The request is overbroad. Nonetheless, Defendant shall provide a list showing the number of members of the Monterey workgroup in the 750B territory, monthly, for the twelve (12) months preceding Plaintiff's termination.
6. The Motion to Compel with respect to Request Nos. 128 - 130 is Denied. The requests are overbroad.
7. Defendant shall produce documents requested in Requests Nos. 131 - 132. No privileged or work product material shall be produced.
8. The Motion to Compel with respect to Request Nos. 133, 134, 137 138, 139, 140, 141, and 142 are Denied. The requests are overbroad.
9. Defendant shall produce documents requested in Request No. 147 that are applicable to territory 750B.
10. The Motion to Compel with respect to Request No. 148 is Denied. The request is overbroad.
11. The above referenced documents shall be produced by December 6, 2010, along with all documents not in dispute that Defendants have agreed, in the Joint Letter, to produce.
12. Plaintiff shall notice the PMK deposition at issue for a date this year. After the deposition is noticed, the parties shall meet and confer both on the date of the deposition and on its scope.

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13. Defendant shall provide substantive responses to the Requests for Admission at issue on or before December 6, 2010.

14. Plaintiff's request to take more than ten (10) depositions is Denied.

IT IS SO ORDERED.

Dated: November 23, 2010



JOSEPH C. SPERO
United States Magistrate Judge