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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CHARLES BREWER, individually and on  
behalf of all current and former employees  
of Defendant,**

**Plaintiff(s),**

**vs.**

**GENERAL NUTRITION CORPORATION,**

**Defendant(s).**

**Case No.: 11-CV-03587 YGR**

**ORDER REGARDING PARTIES' JOINT  
DISCOVERY LETTER**

United States District Court  
Northern District of California

Having carefully considered the parties' joint letter brief, the exhibits attached thereto (Dkt. Nos. 39 & 39-1), the excerpts from the depositions of James Inlow and Paul Katz, the argument of counsel, and the transcript of the hearing, the Court finds that Plaintiff has made a sufficient showing to move forward with respect to the following issues:

1. *Class Discovery*: Plaintiff has established that he is entitled to class discovery on Defendant's Bank Deposit Policy in California *only*, not nationwide.

2. *Depositions of Store Employees with Closing Duties*: Plaintiff may take up to 30 depositions, not to exceed one hour each. The parties are to meet and confer to decide the process of selecting a representative sample of employees from stores throughout California.

3. *Payroll Documents Relating to Off-The-Clock Bank Deposits*: Defendant must produce documents sufficient to show compensation for off-the-clock bank deposits. The parties shall meet and confer regarding the most efficient way to produce this information and the appropriate levels of privacy protection.

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To the extent that Defendant’s responses to these or other requests for production are that no documents exist, or where there is a genuine dispute about whether Defendant has produced all documents, Defendant must provide a verified response that it has produced all responsive documents

The Court will not take any further action with respect to the parties’ Joint Letter re Discovery Dispute filed on March 29, 2012, Dkt. No. 39. With the understanding of the Court’s position on the issues addressed in this Order, the parties shall meet and confer to resolve any remaining discovery issues. If the parties need further guidance, they will need to file an additional joint letter brief.

The case management conference set for June 11, 2012 is **CONTINUED to Monday, July 23, 2012.**

**IT IS SO ORDERED.**  
**Date: June 5, 2012**

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**