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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LYNN SLOVIN, ET AL.,
Plaintiffs,
v.
SUNRUN, INC., et al.,
Defendants.

Case No.15-cv-05340-YGR (JSC)

ORDER RE: DISCOVERY DISPUTES

Dkt. Nos. 112, 117, 122, 125, 129

Several discovery disputes came before the Court for hearing on September 14, 2017. (Dkt. Nos. 112, 117, 122, 125, 129.) This Order confirms the rulings as stated on the record.

1. Defendants' Motion to Compel (Dkt. Nos. 115 & 122)

Plaintiffs shall produce the call log maintained by Plaintiff Katz. Plaintiffs may redact information from this call log which they do not intend to rely on in connection with their class certification motion and is protected by attorney work product. Plaintiffs shall provide the same type of call log data for the other named Plaintiffs identifying the date, number, and source (where known) of calls received by the named Plaintiffs, to the extent such information has not already clearly been produced.

Plaintiff Katz shall sit for a further deposition in Boston following production of his call log.

Plaintiffs shall provide copies of demand letters from the named Plaintiffs to any entity from July 2015 through August 2017. Plaintiffs shall also provide a list of the settlements to which any of the named Plaintiff has been a party. Defendants shall review the list and meet and confer with Plaintiffs regarding any follow-up inquiries.

Finally, Plaintiffs shall provide information regarding whether they have ever provided

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their name or any other contact information to an entity to obtain information regarding solar products.

2. Plaintiffs’ Motion to Compel re: Document Requests (Dkt. Nos. 117, 125 & 126)

Defendants will produce all outstanding written discovery by September 29, 2017 other than discovery responsive to the search terms about which the parties are now meeting and conferring. Defendants shall also confirm that they have searched email for call ID numbers.

3. Plaintiffs’ Motion to Compel re: Skype Records (Dkt. No. 129)

Counsel for all the parties shall jointly contact Skype’s legal department and attempt to obtain the at-issue Skype records.

To the extent that Plaintiffs contend that there are emails on Defendants’ privilege log which may shed light on the question of whether Plaintiff Price received any calls from Defendant Clean Energy Experts, LLC, they shall identify them to Defendants in a letter by the close of business, September 18. Defendants shall then submit these documents to the Court for in camera review by September 21.

4. Plaintiffs’ Expert

At the hearing, Defendants raised an issue regarding the data and analyses underlying Plaintiffs’ expert’s report. Plaintiffs’ expert and Defendants’ expert shall jointly discuss the issues during a call by the close of business September 15, 2017. Counsel may be present on the call.

This Order disposes of Docket Nos. 112, 117, 122, 125, 129.

IT IS SO ORDERED.

Dated: September 15, 2017


JACQUELINE SCOTT CORLEY
United States Magistrate Judge