

1 “Confidential - Attorneys’ Eyes Only.” Before disclosing copies of pages of the check registers to
2 anyone other than its outside counsel or experts, or offering them as evidence in court, Plaintiffs
3 shall redact all entries other than the entries it is using in connection with this litigation. This
4 procedure will adequately protect employee privacy without undue expense to either Plaintiffs or
5 Norman Wright.¹

6 IT IS FURTHER ORDERED that Plaintiffs’ motion is deemed MOOT as to Document
7 Request No. 113, based on Norman Wright’s representation that it has already “complied fully with
8 this request.” This ruling is without prejudice to Plaintiffs filing a renewed motion to compel if they
9 believe Norman Wright has not produced all responsive documents.

10 IT IS FURTHER ORDERED that Plaintiffs’ motion is GRANTED as to Document Request
11 No. 114. The court previously took the motion under submission as to this request, and ordered
12 further meet and confer regarding a compromise, based on Norman Wright’s representation that it
13 did not maintain any documentation that reflected the pricing Norman Wright quoted to customers
14 on bid day. In light of the recent revelation that Norman Wright does actually have such
15 documentation, the court finds it appropriate to grant the motion as to this document request. The
16 documents sought contain information that is relevant to Plaintiffs’ claims, and Norman Wright has
17 not shown that production of the specific scope letters or product quotes for large projects would be
18 overly burdensome. Norman Wright shall produce the responsive documents no later than January
19 8, 2010.

20 IT IS FURTHER ORDERED that Plaintiffs’ motion is GRANTED as to Document Request
21 No. 127. The scope of discovery is broad. Plaintiffs have made a colorable argument regarding the
22 relevance of the documents sought to the claims remaining after summary adjudication. Norman
23 Wright has not shown that production of the documents is unduly burdensome.

24 IT IS FURTHER ORDERED that the deadline for the parties to file any discovery motions is
25 extended to December 30, 2009. With regard to any discovery orders issued after December 14,
26 2009, including this order, the deadline to move to compel compliance is 5 court days after the

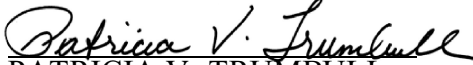
27
28 ¹ Norman Wright shall bear the cost of this production for the time being. After the close
of discovery, if any party believes cost shifting of production costs is warranted, they may bring a motion
for such cost shifting.

1 deadline set in any such order, or 3 weeks after issuance of the order, whichever is later.

2 IT IS FURTHER ORDERED that the deadline for designation of experts with reports is
3 extended to January 15, 2010. The designation of experts with reports is extended to January 29,
4 2010. The close of expert discovery is extended to March 12, 2010.

5 IT IS FURTHER ORDERED that the omnibus hearing on motions for discovery sanctions is
6 continued to 10:00 a.m. on March 30, 2010.

7 Dated: *12/18/09*

8 
9 PATRICIA V. TRUMBULL
United States Magistrate Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28