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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

)	Case No.: 13-CV-0119-LHK
ERIC BENEDICT, RICHARD BOWDERS, and)	
KILRICANOS VIEIRA, on behalf of themselves)	ORDER RE: PLAINTIFFS' MOTION
and classes of those similarly situated,)	FOR ENFORCEMENT OF COURT
)	ORDER REQUIRING PRODUCTION
Plaintiffs,)	OF CLASS LIST
v.)	
)	
HEWLETT-PACKARD COMPANY,)	
)	
Defendant.)	

On June 10, 2013, Plaintiffs filed a Motion for Enforcement of Court Order Requiring Production of Class List, ECF No. 67 (“Motion”). The Motion seeks to enforce the Court’s order that HP produce “contact information” for “three job titles [-] technical solutions, filed technical support consultants, and technology consultants.” See Mot. at 2 (citing Declaration of Jahan C. Sagafi, Ex. A (CMC Hrg. Tr. at 43:10-45:19)).

Defendant filed an Opposition on June 17, 2013, conceding that “production of contact information for the Alleged Relevant Job Families should proceed.” Opposition to Plaintiffs’ Motion for Enforcement of Court Order Requiring Production of Class List; Request for Order Adopting Protocol for Production of Class Contact Information, ECF No. 78-1 (“Opposition”). However, Defendant requests an order adopting its proposed “protocol” for the production of the

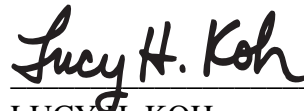
1 identified contact information, and limiting the production of contact information to 10% of the
2 requested information. See id.

3 Defendant argues that Plaintiffs “do not have—and have not articulated—a need for the
4 contact information of the entire putative class.” Opp’n at 13. However, Defendant also concedes
5 that Plaintiffs have articulated the following need for the requested contact information: the need to
6 obtain opt-ins before the statute of limitations has passed. Rather, Defendant notes that Plaintiffs
7 have not articulated the need for discovery to prepare a class certification motion as the basis for
8 Plaintiffs’ request for contact information of the entire putative class. Defendant cites district court
9 cases from other circuits which hold that the need to obtain opt-ins is an insufficient basis to order
10 the production of the contact information of putative class members.

11 Plaintiffs are hereby ordered to file a Sur-Sur-Reply by June 25, 2013, not to exceed two
12 pages, addressing whether Plaintiffs need the contact information of the entire putative class for
13 discovery for Plaintiffs’ class certification motion. The Court will not entertain any further
14 briefing on this matter.

15 **IT IS SO ORDERED.**

16
17 Dated: June 24, 2013



LUCY H. KOH
United States District Judge