

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HUYEN L. NGUYEN,	)	Case No. 5:13-cv-01847-LHK-PSG
	)	
Plaintiff,	)	<b>ORDER RE: REQUEST FOR</b>
v.	)	<b>CLARIFICATION OF DISCOVERY</b>
	)	<b>ORDER</b>
JOHN M. MCHUGH,	)	
	)	<b>(Re: Docket Nos. 54 and 57)</b>
Defendant.	)	

Yesterday the court heard argument regarding Plaintiff’s request for clarification of the court’s discovery order of May 6.<sup>1</sup> To clarify:

- The government’s privilege log shall be supplemented to identify each of the documents regarding Nguyen’s EEO claim for which any one or more of attorney-client privilege, work product or privacy is claimed as the sole basis for withholding.
- If the government has statistics regarding workers who took jobs as part of the insourcing program in its possession, custody or control, it must produce them. The government also shall identify any incumbent contract service provider who (1) applied for an insourced position, (2) was offered an insourced position or (3) accepted an insourced position irrespective of the privacy concerns identified by the government. That information shall be produced pursuant to the protective order in this case.<sup>2</sup>
- Because the court is not persuaded that documents regarding the insourcing programs at other dental clinics are sufficiently tied to the claims in this case to justify the burden on the government, the government need not produce additional documents from additional locations.
- All materials required by this order shall be produced without delay.


<sup>1</sup> See Docket Nos. 54 and 57.

<sup>2</sup> See Docket No. 60.

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**IT IS SO ORDERED**

Dated: May 28, 2014

  
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PAUL S. GREWAL  
United States Magistrate Judge