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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ISAAC RODRIGUEZ,
Plaintiff,
v.
NIKE RETAIL SERVICES, INC.,
Defendant.

Case No. [14-cv-01508-BLF](#)

**ORDER DENYING DEFENDANT'S
MOTION FOR RELIEF FROM A NON-
DISPOSITIVE ORDER OF A
MAGISTRATE JUDGE**

[Re: ECF 40]

On April 29, 2015, Magistrate Judge Howard R. Lloyd issued an Order on the parties' Discovery Dispute Joint Report No. 1, in which Judge Lloyd granted Plaintiff's request to compel Defendant to produce the names, last known addresses, and telephone numbers of putative class members. *See* ECF 37 at 2, 6. Pursuant to Federal Rule of Civil Procedure 72(a) and Civil Local Rule 72-2, Defendant moves for relief from this Order. Plaintiff opposes.

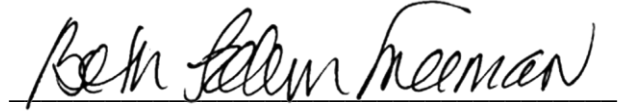
Under Rule 72(a), a party may seek relief from the non-dispositive order of a Magistrate Judge when that Order is "clearly erroneous or contrary to law"; *see also Tierno v. Rite Aid Corp.*, 2008 WL 3287035, at *3 (N.D. Cal. July 31, 2008). Defendant has not met its burden to show that Judge Lloyd's Order is clearly erroneous or contrary to law. Rather, Judge Lloyd's well-reasoned Order is consistent with many other decisions made in this district granting classwide discovery regarding putative class member contact information, pursuant to an opt-out procedure. *See, e.g., Bell v. Delta Air Lines, Inc.*, 2014 WL 985829, at *3 (N.D. Cal. Mar. 7, 2014); *see also Willner v. Manpower, Inc.*, 2013 WL 1729771, at *2 (N.D. Cal. Apr. 22, 2013) (finding an order granting the disclosure of putative class member contact information, subject to an opt-out, was "amply supported by Ninth Circuit authority").

The Court finds that Defendant Nike has failed to show that Judge Lloyd's Order was

1 clearly erroneous or contrary to law. As such, the Court DENIES Defendant's motion for relief
2 from Judge Lloyd's Order on Discovery Dispute Joint Report No. 1.

3 **IT IS SO ORDERED.**

4 Dated: June 12, 2015



BETH LABSON FREEMAN
United States District Judge

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