

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

FRANKIE ANTOINE, et al.,  
Plaintiffs,  
v.  
CAPITOL DEL GRANDE 2, INC., et al.,  
Defendants.

Case No. [5:17-cv-00542-LHK](#) (HRL)

**ORDER RE DISCOVERY DISPUTE  
JOINT REPORT NO. 2**

Re: Dkt. No. 34

Plaintiffs, former employees of Capital Chevrolet, sue for racial discrimination and retaliation. In a prior discovery order, the court addressed plaintiffs’ requests for documents in the personnel files of nine non-parties, each a present or former employee of defendants, for information about “work place conduct.” The court limited the production to race-based conduct, broadly construed.

Now, plaintiffs are seeking pretty much the same kind of broad, sweeping information they wanted previously, but this time it is for documentation of any allegations that any employee engaged in “harassment, discrimination, bullying, or any other inappropriate conduct toward a co-worker.”

The court agrees with defendants that the information to be produced should be about race-based conduct, as broadly defined in the previous court order, at the Capitol Chevrolet location

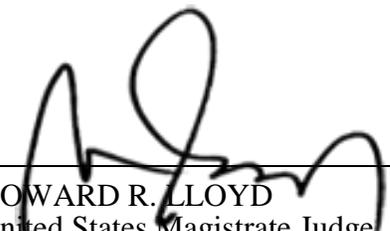
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only. Production should include copies of civil complaints or arbitration demands about race-based conduct. Copies of settlement agreements need not be produced.

Production shall take place by November 9th in order that depositions may proceed on November 14th.<sup>1</sup>

SO ORDERED.

Dated: November 6, 2017

  
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HOWARD R. LLOYD  
United States Magistrate Judge

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<sup>1</sup> The court warns the parties that they cannot assume the court will always be able to put aside its other, equally pressing matters to give instant attention to their discovery disputes.