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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RAY DELGADO,
Plaintiff,
v.
MARKETSOURCE, INC.,
Defendant.

Case No.17-cv-07370-LHK (VKD)

**SECOND INTERIM ORDER RE
DISCOVERY DISPUTE RE PAGA-
RELATED DISCOVERY**

Re: Dkt. No. 59

The presiding judge having denied MarketSource, Inc.'s ("MarketSource") motion to strike Mr. Delgado's PAGA claim (Dkt. No. 66), the parties are directed to file a supplemental joint submission, advising this Court about the matters outlined in its Interim Order re Discovery Dispute re PAGA-Related Discovery, namely:

1. The time required for MarketSource to provide responsive information and documents with respect to the five employees identified in Mr. Delgado's amended initial disclosures;
2. A procedure for assessing whether the termination and final wage payment data in MarketSource's records (i.e. the PeopleSoft system) for a given terminated employee requires further investigation (e.g., whether a query of the PeopleSoft system reflects an apparent violation that may be due to data entry errors), and if so, what amount of time MarketSource would require to conduct such further investigation;
3. If MarketSource contends that such further investigation would be prohibitively burdensome, a method for investigating and producing data for a statistically

United States District Court
Northern District of California


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significant sample of the relevant terminated employees.

Dkt. No. 65 at 2. The parties' supplemental joint submission must be filed no later than **noon, May 1, 2019.**

IT IS SO ORDERED.

Dated: April 29, 2019


VIRGINIA K. DEMARCHI
United States Magistrate Judge