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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PAULA DITTMAR and PAULINE
TILTON, *individually and on behalf of
all others similarly situated*,

Plaintiffs,

v.

COSTCO WHOLESALE
CORPORATION,

Defendant.

Case No.: 14-cv-1156 LAB (JLB)

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS’
MOTION TO COMPEL DISCOVERY
AND CONTACT INFORMATION**

[ECF No. 85]

Presently before the Court is Plaintiffs’ Motion to Compel Discovery and Contact Information. (ECF No. 85.) Also before the Court is Defendant’s opposition to Plaintiffs’ motion (ECF No. 86), Plaintiffs’ Reply to Defendant’s Opposition (ECF No. 89), and the supplemental declarations of Joanne Lawson (ECF No. 91) and Plaintiff Paula Dittmar (ECF No. 92). A hearing on Plaintiffs’ motion was held on December 6, 2016. (*See* ECF No. 93.) Having considered all of the briefing and supporting documents presented and the parties’ oral arguments, for the reasons set forth below, Plaintiffs’ motion is **GRANTED in part and DENIED in part.**

1 **I. BACKGROUND**

2 **A. Procedural History**

3 Plaintiffs initiated this putative class action by filing a complaint in the San Diego
4 Superior Court on April 3, 2014. (ECF No. 1-1.) The case was removed to this Court on
5 May 7, 2014. (ECF No. 1.) Plaintiffs filed their Third Amended Complaint on July 21,
6 2016 (ECF No. 71). Plaintiffs seek to represent the following two proposed classes in this
7 action:

8 Pharmacist Class: All current and former non-exempt pharmacists
9 employed by Defendants within the State of California within the period four
10 years prior to the date of the filing of this action.

11 Department Manager Class: All current and former non-exempt
12 managers of any department at Defendants’ business who were employed by
13 Defendants in California within the period four years prior to the date of the
14 filing of this action.

15 (*Id.* at 6–7.) Plaintiffs allege that during the class period, Defendant failed to pay the
16 Pharmacist Class and Department Manager Class all compensation due to them for time
17 spent under their employers’ control, as well as payment due for overtime work and
18 premiums due for noncompliant meal and rest periods. (*Id.* at 4.)

19 In support of their putative class claims, Plaintiffs seek from Defendant discovery
20 and contact information for the majority of the members of the putative state-wide classes.
21 (ECF No. 85-1 at 4.) Defendant objects to providing this information to Plaintiffs, arguing
22 that Plaintiffs have not made the requisite showing that they are entitled to California-wide
23 discovery on any of their claims. (ECF No. 86 at 12–15.) The instant motion seeks to
24 clarify the proper scope of discovery at this stage of the case.

25 **B. Defendant’s Corporate Structure**

26 Defendant Costco Wholesale Corporation (“Defendant” or “Costco”) divides its
27 United States warehouses into three geographic divisions: (1) Northern; (2) Eastern; and
28 (3) Southwest. (ECF No. 86 at 6.) The Costco warehouses located in California fall within
the Northern and Southwest Divisions. (*Id.*) These two divisions encompass six smaller

1 geographic regions: (1) Northwest; (2) Midwest; (3) Bay Area; (4) Los Angeles; (5) San
2 Diego; and (6) Texas regions. (*Id.*) All California Costco warehouses exist within the Bay
3 Area, Los Angeles, and San Diego regions. (*Id.*) Plaintiff Dittmar worked in the Lake
4 Elsinore and Morena Boulevard warehouses in the San Diego region. (ECF No. 85-3 at
5 ¶ 1; ECF No. 86 at 6.) Plaintiff Tilton worked in the Victorville warehouse in the Los
6 Angeles Region. (ECF No. 85-4 at ¶ 1; ECF No. 86 at 6.) All warehouses in which
7 Plaintiffs worked are located in the Southwest Division. (ECF No. 86 at 6.)

8 Each Costco warehouse has a number of independent ancillary businesses, such as,
9 for example, the Tire, Bakery, Delicatessen, and Pharmacy Departments, and each
10 ancillary business has its own regional organization. (*Id.*) With respect to Costco
11 pharmacies, warehouse Pharmacy Managers, such as Plaintiffs Dittmar and Tilton, report
12 to Regional Pharmacy Supervisors, and Regional Pharmacy Supervisors report to
13 Divisional Assistant Vice Presidents of Pharmacies. (*Id.*) Plaintiff Dittmar's Regional
14 Pharmacy Supervisor in the San Diego Region was Kevin Lee, and then Brad Heiner. (*Id.*)
15 Plaintiff Tilton's Regional Pharmacy Supervisor in the Los Angeles Region was Barry
16 Meizel. (*Id.* at 6–7.) Kevin Lee, Brad Heiner, and Barry Meizel's supervisor was Joanne
17 Lawson, Assistant Vice President of Pharmacies for the Southwest Division. (*Id.* at 7.)

18 There are approximately 120 Costco warehouses in California. (ECF No. 86-3 at
19 ¶ 5.) Of these warehouses, approximately 65 are located in the San Diego and Los Angeles
20 Regions in the Southwest Division. During Plaintiff Dittmar's employment with
21 Defendant, Kevin Lee, and then Brad Heiner, supervised the following 15 California
22 warehouses in the San Diego Region: (1) El Centro; (2) Vista; (3) Morena Boulevard; (4)
23 Santee; (5) San Diego (Carmel Mountain Road); (6) Rancho Del Rey; (7) Carlsbad; (8) La
24 Mesa; (9) S.E. San Diego (Gateway Center Drive); (10) Mission Valley; (11) Temecula;
25 (12) Lake Elsinore; (13) Poway; (14) Chula Vista; and (15) San Marcos. (ECF No. 91 at
26 ¶ 2–3.) During Plaintiff Tilton's employment with Defendant, Barry Meizel supervised
27 the following 28 California warehouses in the Los Angeles Region: (1) Santa Maria; (2)
28 Canoga Park (now Woodland Hills); (3) Van Nuys; (4) Westlake Village; (5) Simi Valley;

1 (6) Los Feliz; (7) Norwalk; (8) Azusa; (9) Oxnard; (10) Alhambra; (11) Northridge; (12)
2 Santa Clarita; (13) Montebello; (14) Goleta; (15) Torrance; (16) Culver City; (17) SW
3 Bakersfield; (18) Hawthorne; (19) Burbank; (20) City of Industry; (21) Bakersfield; (22)
4 San Luis Obispo; (23) Lancaster; (24) Inglewood; (25) La Habra; (26) Victorville; (27)
5 San Dimas; and (28) Pacoima.¹ (*Id.* at ¶ 4.) The approximately 22 remaining California
6 warehouses in the Southwest Division are supervised by other Regional Pharmacy
7 Managers, including B.J. Min. (*Id.* at ¶ 10.)

8 **II. LEGAL STANDARD**

9 Federal Rule of Civil Procedure 26 provides that a party may obtain discovery
10 “regarding any nonprivileged matter that is relevant to any party’s claim or defense.” Fed.
11 R. Civ. P. 26(b)(1). “Information within this scope of discovery need not be admissible in
12 evidence to be discoverable.” *Id.* The relevance standard is thus recognized commonly as
13 one that is necessarily broad in scope in order to “encompass any matter that bears on, or
14 that reasonably could lead to other matter that could bear on, any issue that is or may be in
15 the case.” *Oppenheimer Fund, Inc. v. Sanders*, 437 U.S. 340, 351 (1978) (citing *Hickman*
16 *v. Taylor*, 329 U.S. 495, 501 (1947)). However, relevancy is not without “ultimate and
17 necessary boundaries.” *Hickman*, 329 U.S. at 507. Accordingly, district courts have broad
18 discretion to determine relevancy for discovery purposes. *Hallett v. Morgan*, 296 F.3d
19 732, 751 (9th Cir. 2002).

20 The Ninth Circuit has held that often putative class action pleadings alone will not
21 resolve the question of class certification and that some pre-certification discovery will be
22 warranted. *Vinole v. Countrywide Home Loans, Inc.*, 571 F.3d 935, 942 (9th Cir. 2009).
23 District courts have broad discretion to control the class certification process, and whether
24 discovery is permitted lies within the sound discretion of the court. *Id.* (quoting *Kamm v.*
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27 ¹ In May 2013, after Plaintiff Tilton ceased working for Defendant, seven of the warehouses under
28 Barry Meizel’s supervision were transferred to a different Los Angeles Regional Pharmacy Supervisor.
(ECF No. 91 at 7.) For purposes of this Order, any reference to the warehouses supervised by Barry
Meizel refers to the 28 warehouses he supervised while Plaintiff Tilton worked for Defendant.

1 *Cal. City Dev. Co.*, 509 F.2d 205, 209 (9th Cir. 1975)). In determining whether a court
2 should allow pre-certification discovery, the plaintiff bears the burden of advancing a prima
3 facie showing that the class action requirements of Federal Rule of Civil Procedure 23 are
4 satisfied or that discovery is likely to produce substantiation of the class allegations. *Id.*
5 (citing *Mantolete v. Bolger*, 767 F.2d 1416, 1424–25 (9th Cir. 1985); *Doninger v. Pac. Nw.*
6 *Bell, Inc.*, 564 F.2d 1304, 1313 (9th Cir. 1977)). Absent some factual basis for a plaintiff’s
7 claims that defendant’s alleged wrongs are class-wide, plaintiffs are not entitled to class-
8 wide discovery; and the plaintiff cannot rely on the bare allegations of the complaint to
9 support class-wide discovery. *See Tracy v. Dean Witter Reynolds*, 185 F.R.D. 303, 305
10 (D. Col. 1998); *see, e.g., Coleman v. Jenny Craig, Inc.*, No. 11-cv-1301-MMA (DHB),
11 2013 WL 2896884, at *9 (S.D. Cal. June 12, 2013) (denying plaintiff’s request for
12 discovery from other offices where evidence did not substantiate plaintiff’s allegations that
13 the class extended beyond locations where plaintiff worked); *Franco v. Bank of America*,
14 No. 09-cv-1364 LAB (BLM), 2009 WL 8729265, at *4 (S.D. Cal. Dec. 1, 2009) (same).

15 **III. DISCUSSION**

16 **A. Defendant’s Procedural Objections**

17 Before addressing the merits of Plaintiffs’ claims, Defendant’s opposition argues
18 that Plaintiffs’ motion should be dismissed on procedural grounds alone. (ECF No. 86 at
19 8–10.) The Court rejects Defendant’s arguments for the following reasons.

20 1. Failure to Meet and Confer

21 Defendant first argues that Plaintiffs’ motion should be denied because Plaintiffs
22 failed to comply with both this Court’s Local Rules and the undersigned’s Civil Chambers
23 Rules, which require counsel to meet and confer on discovery issues before filing discovery
24 motions with the Court. (ECF No. 86 at 8–9.) This argument is without merit.

25 A telephonic Case Management Conference for this action was held on September
26 27, 2016. (*See* ECF No. 82.) During the Conference, Plaintiffs’ counsel brought to the
27 Court’s attention that the parties dispute the appropriate geographic scope of class
28 certification discovery and whether discovery should reach to managers of Costco

1 departments beyond Costco Pharmacy Departments. These issues were also raised in the
2 parties' Amended Joint Discovery Plan filed in anticipation of the Case Management
3 Conference. (*See* ECF No. 80 at 3–5.) It appeared the disputed issues would likely hinder
4 the progress of this case, and the parties agreed the issue was ripe for resolution. Therefore,
5 the undersigned invited the parties to immediately brief their disputed issues with respect
6 to the scope of initial discovery. Neither party raised any objection at that time. It should
7 have been obvious to Defendant that by virtue of the Court's inviting opposing briefing
8 from the parties, there was no longer an obligation to meet and confer on these specific
9 issues in dispute. Accordingly, Defendant's argument that Plaintiffs' motion should be
10 denied on the basis that Plaintiffs failed to meet and confer prior to filing their motion is
11 without merit.

12 2. Failure to Specify Document Requests and Acknowledge Objections

13 Defendant next argues that Plaintiffs' motion should be denied because Plaintiffs
14 ignore Rule IV.D.1 of the undersigned's Civil Chambers Rules, which requires movants to
15 specify each discovery dispute, why discovery is needed, the legal basis for that view, and
16 the legal basis for objections. This argument is also without merit. As discussed during
17 the September 27, 2016 Case Management Conference, the undersigned requested that the
18 parties' briefs discuss only the broad, threshold issues of: (1) whether discovery should be
19 limited to particular warehouses; and (2) whether discovery should be limited to particular
20 departments within the warehouses. The parties were not invited to address any disputes
21 arising from specific discovery requests and objections at this time. Accordingly, any
22 argument that Plaintiffs' motion should be denied for failure to specify particular document
23 requests and acknowledge Defendant's objections to specific discovery requests is without
24 merit.

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1 **B. Scope of Discovery**

2 1. Pharmacist Class

3 i. *Failure to Pay for Off-the-Clock Work*

4 Plaintiffs assert that they are entitled to California-wide discovery with respect to
5 Defendant’s alleged failure to pay the putative Pharmacist Class for off-the-clock work.
6 (ECF No. 85-1 at 11–12.) Defendant disagrees, arguing that Plaintiffs have failed to show
7 that they are entitled to any discovery with respect to this putative Pharmacist Class claim.
8 (ECF No. 86 at 14.)

9 In support of their claim, Plaintiffs assert that: (1) Joanne Lawson stated in Plaintiff
10 Dittmar’s presence that she was aware that pharmacists were working off-the-clock
11 throughout her “area” (ECF No. 85-3 at ¶ 2); (2) Kevin Lee stated in Plaintiff Dittmar’s
12 presence that he was aware that pharmacists at other stores in his region were working off
13 the clock (*id.*); (3) Brad Heiner told Plaintiff Dittmar and other full-time pharmacists at the
14 Morena Boulevard warehouse that they were expected to do “more with less,” meaning to
15 do more work in less hours (*id.* at ¶ 8; ECF No. 92 at ¶ 7); (4) pharmacist Vijay Khanna
16 told Plaintiff Dittmar that he worked off-the-clock at Costco’s Carlsbad warehouse (ECF
17 No. 85-3 at ¶ 16; ECF No. 92 at ¶ 6); and (5) pharmacist Chen Hwang told Plaintiff Tilton
18 that she worked off-the-clock at Costco’s Victorville warehouse. (ECF No. 85-4 at ¶ 6.)

19 Plaintiffs’ motion with respect to this putative Pharmacy Class claim is **GRANTED**
20 **in part**. Based on the statements purportedly made by Kevin Lee and Joanne Lawson,
21 considered in conjunction with the statements of Vijay Khanna and Chen Hwang that they
22 worked off-the-clock in two separate warehouses under Joanne Lawson’s supervision, the
23 Court is persuaded that discovery is likely to produce substantiation of Plaintiffs’ allegation
24 that Defendant failed to pay pharmacists for off-the-clock work. *See Vinole*, 571 F.3d at
25 942. The Court is also persuaded that based on this evidence, Plaintiffs are entitled to
26 discovery on this claim beyond the two warehouses in which they worked. Accordingly,
27 the Court concludes that Plaintiffs are entitled to seek discovery related to off-the-clock
28 work from pharmacists who work, or formerly worked within the class period, at all

1 California warehouses located in Costco’s Southwest Division. To the extent Defendant
2 has not already done so, Defendant shall provide Plaintiffs with a written list of the WHSE
3 number, name, and address of each California Costco warehouse located within the
4 Southwest Division on or before **December 19, 2016**.

5 As Plaintiffs provided no evidence that Defendant allegedly failed to pay
6 pharmacists for off-the-clock work at any California warehouse outside of the Southwest
7 Division, at this stage of the proceedings and with respect to this claim, any request that
8 the Court compel Defendant to provide contact information or other discovery for
9 pharmacists who work or worked in California warehouses outside of the Southwest
10 Division is **DENIED**. See *Coleman*, 2013 WL 2896884, at *9; *Tracy*, 185 F.R.D. at 305.

11 *ii. Failure to Provide Required Rest Breaks*

12 Plaintiffs assert that they are entitled to California-wide discovery with respect to
13 Defendant’s alleged failure to pay premiums to the putative Pharmacist Class for failing to
14 provide certain legally required rest breaks. (ECF No. 85-1 at 11–12.) Specifically,
15 Plaintiffs allege that it is Defendant’s practice to schedule only one pharmacist per
16 warehouse on Saturdays, and this practice prohibits pharmacists from taking the 10-minute
17 rest breaks to which they are entitled. (ECF No. 85-3 at ¶ 17; ECF No. 85-4 at ¶ 8.)
18 Defendant disagrees, arguing that Plaintiffs have failed to show that they are entitled to
19 discovery with respect to this putative Pharmacist Class claim outside of the warehouses
20 in which they worked. (ECF No. 86 at 15.)

21 In support of their claim, both Plaintiff Dittmar and Tilton stated in their written
22 declarations that, “[w]hile we closed the pharmacy for lunch breaks, it was very hard to
23 close the pharmacy for ten minute rest breaks. We could not close the pharmacy while
24 customers were waiting. On weekends, customers were almost always present.” (ECF No.
25 85-3 at ¶ 17; ECF No. 85-4 at ¶ 8.) In addition, at the December 6, 2016 hearing, Plaintiffs’
26 counsel stated that Deana Mortarana, a Pharmacy Manager at Costco’s Santee warehouse,
27 testified at her deposition that she was unable to take approximately 70% of her 10-minute
28 rest breaks on Saturdays due to Defendant’s practice of scheduling a single pharmacist at

1 the Santee warehouse on Saturdays. Furthermore, Plaintiffs' counsel stated during the
2 hearing that Plaintiffs have discovered through other depositions that Defendant's practice
3 of scheduling a single pharmacist per warehouse on Saturdays was a widespread practice
4 within the San Diego and Los Angeles Regions.

5 Plaintiffs' motion with respect to this putative Pharmacy Class claim is **GRANTED**
6 **in part**. While Plaintiffs' moving papers do little to justify their entitlement to discovery
7 on this issue, the Court is persuaded by the deposition testimony of Deana Mortarana and
8 others that discovery is likely to substantiate this Pharmacy Class claim. *See Vinole*, 571
9 F.3d at 942. As Deana Mortarana and Plaintiff Dittmar reported similar Saturday rest break
10 experiences while working at separate warehouses under the common supervision of Kevin
11 Lee and Brad Heiner, the Court concludes that Plaintiffs are entitled to seek discovery
12 related to this issue from pharmacists who work, or formerly worked within the class
13 period, at the 15 California warehouses that were supervised by Kevin Lee and Brad
14 Heiner. In addition, as Plaintiff Tilton reported similar Saturday rest break experiences to
15 those of Plaintiff Dittmar and Deana Mortarana, Plaintiffs may seek discovery on this
16 matter from pharmacists who work, or formerly worked within the class period, at the
17 Victorville warehouse.²

18 As Plaintiffs provided no evidence that Defendant allegedly failed to provide
19 pharmacists with legally required 10-minute rest breaks on Saturdays at any California
20 warehouse beyond the warehouses specified above, at this stage of the proceedings and
21 with respect to this claim, Plaintiffs' request that the Court compel Defendant to provide
22 contact information or other discovery for pharmacists who work or worked in California
23 warehouses beyond these specific warehouses is **DENIED**. *See Coleman*, 2013 WL
24 2896884, at *9; *Tracy*, 185 F.R.D. at 305.

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27 ² As Costco Pharmacy Managers often work as pharmacists (ECF No. 91 at ¶ 6; ECF No. 92 at
28 ¶ 5), for purposes of discovery related to rest breaks, Pharmacy Managers are to be considered pharmacists
with respect to shifts that they worked as pharmacists.

1 Plaintiffs' motion with respect to this claim is **GRANTED in part**. Based on the
2 evidence above, the Court concludes that Plaintiffs have met their burden of proving that
3 discovery is likely to substantiate Plaintiffs' claim that Defendant failed to pay Pharmacy
4 Department Managers for off-the-clock work. *See Vinole*, 571 F.3d at 942. However,
5 Plaintiffs have not met their burden of proving that they are entitled to California-wide
6 discovery on this claim. First, the Court is not persuaded that the Orange County Pharmacy
7 Department Managers' stating that they had too much work to complete during their
8 regular shifts means that they actually worked off-the-clock. Second, the Pharmacy
9 Department Managers who reported to Plaintiff Dittmar that they understood the
10 "manager's code" to mean they were required to work off-the-clock or that they regularly
11 worked off-the-clock all worked only at warehouses in the San Diego and Los Angeles
12 Regions and under the supervision of Regional Pharmacy Supervisors Brad Heiner, Barry
13 Meizel, and B.J. Min.⁴ Accordingly, the Court concludes that Plaintiffs are entitled to seek
14 discovery on this issue only from Pharmacy Department Managers who work, or formerly
15 worked within the class period, at California warehouses that were or are supervised by
16 Kevin Lee, Brad Heiner, Barry Meizel,⁵ and B.J. Min. To the extent that Defendant has
17 not already done so, by **December 19, 2016**, Defendant shall provide Plaintiffs with a
18 written list of the WHSE number, name, and address of each California Costco warehouse
19 that is, or was within the relevant class period, under the supervision of B.J. Min.

20 As Plaintiffs provided no evidence that Defendant allegedly failed to pay Pharmacy
21 Department Managers for off-the-clock work at any warehouse outside of the supervision
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24 ⁴ Specifically, Plaintiffs assert that: (1) Jennifer Ahn worked at the Carmel Valley warehouse and
25 reported to Brad Heiner (ECF No. 92 at ¶ 8); (2) Deana Mortarana worked at the Santee warehouse and
26 reported to Brad Heiner (*id.*); (3) Deborah McElravy worked at the La Mesa warehouse and reported to
27 Brad Heiner (*id.*); (4) Jennifer Mann worked at the Goleta warehouse and reported to either Barry Meizel
28 or B.J. Min (*id.* at ¶ 9); (5) Debbie Grannick worked at the San Marcos warehouse and reported to Brad
Heiner (ECF No. 85-3 at ¶ 14; ECF No. 92 at ¶ 7); and (6) Thu-Anh Ly worked at the La Mesa warehouse,
reporting to Brad Heiner, and at the Irvine warehouse, reporting to B.J. Min (ECF No. 85-3 at ¶ 14; ECF
No. 91 at ¶ 10; ECF No. 92 at 7).

⁵ *See* note 1, *supra*.

1 of Kevin Lee, Brad Heiner, Barry Meizel, or B.J. Min, at this stage of the proceedings and
2 with respect to this claim, Plaintiffs’ request that the Court compel Defendant to provide
3 contact information or other discovery for Pharmacy Department Managers who work or
4 worked in a California Costco warehouse not specified above is **DENIED**. *See Coleman*,
5 2013 WL 2896884, at *9; *Tracy*, 185 F.R.D. at 305.

6 ii. *Non-Pharmacy Department Managers*

7 In support of Plaintiffs’ claim that Defendant failed to pay Non-Pharmacy
8 Department Managers for off-the-clock work at all California Costco warehouses, Plaintiff
9 Dittmar asserts that she spoke with other Department Managers, including the
10 Delicatessen, Merchandise, Tire, Bakery, and Food Court Managers, at the Morena
11 Boulevard warehouse and told her they understood Costco’s “manager code” to mean
12 working off-the-clock in order to complete the work assigned to them. (ECF No. 85-3 at
13 ¶ 5.) In addition, Plaintiff Dittmar asserts that she was told by Jeanne Rosolino and Kevin
14 Perriera, the General Manager and Assistant General Manager at the Morena Boulevard
15 warehouse, to clock out for a 30-minute period while she attended a managers’ meeting.
16 (*Id.* at ¶ 9.) Plaintiff Dittmar further contends that several other department managers who
17 attended that meeting stated that they were working off-the-clock as well. (*Id.*)

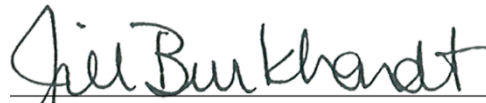
18 Plaintiffs’ motion with respect to this claim is **GRANTED in part**. Based on the
19 evidence above, the Court concludes that Plaintiffs have met their burden of proving that
20 discovery is likely to substantiate Plaintiffs’ claim that Defendant failed to pay Non-
21 Pharmacy Department Managers for off-the-clock work. *See Vinole*, 571 F.3d at 942.
22 However, Plaintiffs have not met their burden of proving they are entitled to California-
23 wide discovery on this claim. As Plaintiff Dittmar testified at her deposition that she is not
24 affirmatively aware of any non-exempt managers working off-the-clock or being told to
25 work off-the-clock at warehouses other than the Morena Boulevard warehouse (ECF No.
26 86-2 at 17–19), Plaintiffs are not entitled to seek discovery on this issue from Non-
27 Pharmacy Department Managers who work or worked only in warehouses other than the
28 Morena Boulevard warehouse. Based on the evidence Plaintiffs provided, Plaintiffs may

1 seek discovery related to off-the-clock work only from the Morena Boulevard warehouse's
2 ancillary business managers and merchandise manager(s).

3 As Plaintiffs provided no evidence that Defendant allegedly failed to pay Non-
4 Pharmacy Department Managers for off-the-clock work at any warehouse outside of the
5 Morena Boulevard warehouse, at this stage of the proceedings and with respect to this
6 claim, any request that Defendant be compelled to produce contact information or other
7 discovery for Non-Pharmacy Department Managers beyond those specified above is
8 **DENIED.** See *Coleman*, 2013 WL 2896884, at *9; *Tracy*, 185 F.R.D. at 305.

9 **IT IS SO ORDERED.**

10 Dated: December 12, 2016

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12 Hon. Jill L. Burkhardt
13 United States Magistrate Judge
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