

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 13-cv-03299-CMA-BNB

NANCY CHAVEZ,
MARGARITA HERRERA, and
ANA MARIA PEINADO-NOVOA
on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

EXCEL SERVICES SOUTHEAST, INC.,
EXCEL SERVICES NETWORK, INC., and
JAMES DAVID SAXTON,

Defendants.

ORDER

This matter is before me on the **Plaintiffs' Motion to Compel Discovery** [Doc. # 27, filed 5/7/2014] (the "Motion to Compel"). I held a hearing on the Motion to Compel this afternoon and made rulings on the record, which are incorporated here.

IT IS ORDERED:

(1) The Motion to Compel [Doc. # 27] is GRANTED IN PART and DENIED IN PART as follows:

- GRANTED to require the defendants to answer Interrogatories No. 2 and 3;
- GRANTED to require the defendants to produce "all documents constituting, recording or memorializing any payment of wages . . . made to any cleaner for services rendered or labor performed" during the period December 6, 2010, through December 6, 2013, as

requested in Request for Production No. 5; and

- DENIED insofar as the plaintiffs seek an order requiring the defendants to limit or otherwise sort the documents produced.

(2) The defendants shall produce the responsive Daily Cleaning Sheets as they are kept in the usual course of business on July 21, 2014, at 10:00 a.m., and continuing thereafter until the inspection by plaintiffs' counsel and support staff is completed.

(3) The defendants shall provide images of the Daily Cleaning Sheets designated by the plaintiffs to the plaintiffs on or before August 15, 2014. The first 11¢ per page shall be at the plaintiffs' expense, and any charge above 11¢ per page shall be at the defendants' expense.

(4) The defendants shall produce the documents constituting, recording, or memorializing any payment of wages made to any cleaner for services rendered or labor performed during the period December 6, 2010, through December 6, 2013, to the plaintiffs in electronic format on or before August 15, 2014.

Dated June 24, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge