SCOVIL et al v. FEDEX GROUND PACKAGE SYSTEM INC Doc. 41

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

WAYNE SCOVIL, ET AL.,	)	
	)	
PLAINTIFFS	)	
	)	
v.	)	**NO. 1:10-CV-515-DBH**
	)	
FEDEX GROUND PACKAGE SYSTEM, INC. *d/b/a FedEx Home Delivery*,	)	
	)	
DEFENDANT	)	

ORDER ON DEFENDANT'S MOTION TO PERMIT EX PARTE INTERVIEWS OF CERTAIN MAINE CONTRACTORS

The motion under Maine Rule of Professional Conduct 4.2 to permit ex parte interviews of certain Maine contractors is **GRANTED IN PART**. The defendant shall make the first three disclosures proposed by the plaintiffs, as it has agreed to do in its Reply. I do not require the other two proposed disclosures at this time. There is no record of abuse in this case, see Ojieda-Sanchez v. Bland Farms, 600 F. Supp. 2d 1373 (S.D. Ga. 2009). In Gulf Oil Co. v. Bernard, 452 U.S. 89, 101-02 (1981), the Court required a "clear record and specific findings" for imposing an order limiting communications.

However, I do not speak for Judge Miller and any concerns that he might have with respect to In re FedEx Ground Package System, Inc., Employment Practices Litigation, 722 F. Supp. 2d 1033 (N.D. Ind. 2010).

SO ORDERED.

DATED THIS 25TH DAY OF JULY, 2011

/S/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

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