

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANGELINE MEJIA,

Plaintiff,

v.

FERTILITY SOLUTIONS, P.C., *et al.*,

Defendants.

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Civil Action No. 14-cv-13005-IT

ORDER

June 23, 2015

TALWANI, D.J.

After a Motion Hearing on June 10, 2015, the court hereby orders that:

1. Plaintiff's Motion to Compel Production of Documents [#34] is ALLOWED IN PART, DENIED IN PART, and DEFERRED IN PART.
 - a. Defendants shall produce all non-privileged documents responsive to Request No. 6 and Request No. 8 of Plaintiff's First Request for Production of Documents [#34-5] (Madar Aff. Ex. 3).
 - b. As to Request No. 11 and Request No. 20, Defendants shall produce all non-privileged documents relevant to employees' schedules, absences, breaks, and tardiness (including payroll records) for the year 2012. Defendants may redact salary information if such redaction does not obscure information as to the employees' schedules and hours worked.
 - c. As to Request No. 12, Defendants shall produce all employee records of discipline, warnings, and counseling (including employee evaluations concerning attendance, tardiness, or schedules) for the year 2012.

- d. As to Request No. 15, for any employee who quit, was terminated, or was disciplined while pregnant during the years 2011 and 2012, Defendants shall produce all documents within that employee's personnel file relevant to the employee's reason for quitting, being terminated, or being disciplined. The court DEFERS ruling on the remainder of Plaintiff's Request No. 15 at this time. If while reviewing the documents produced under the prior sub-paragraphs, Plaintiff identifies particular employees for whom Plaintiff seeks personnel files, Plaintiff shall confer with Defendants regarding the production of those files. If the parties are unable to resolve any such disputes, Plaintiff may file a further motion to compel production and Defendants may file a motion for a protective order.
 - e. Plaintiff's motion to compel production of documents responsive to Request No. 23 is DENIED.
 - f. Defendants shall produce the documents described in the prior sub-paragraphs by July 8, 2015.
 - g. Defendants shall also supplement their Responses to Document Requests to reflect the additional production.
 - h. Plaintiff's request for an award of expenses incurred in relation to Plaintiff's motion to compel is DENIED WITHOUT PREJUDICE. This order is subject to reconsideration in the event the parties are unable to resolve any remaining discovery disputes.
2. The parties' Joint Motion to Extend Tracking Order [#35] is ALLOWED. Fact discovery shall close on September 30, 2015. The dispositive motion deadline shall be rescheduled after the court holds a Status Conference.

3. A Status Conference is scheduled for September 9, 2015, at 3:00 p.m.

IT IS SO ORDERED.

June 23, 2015

/s/ Indira Talwani
United States District Judge