UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELIZABETH DELOREAN,

Plaintiff,

Case No. 15-cv-13704
Hon. Matthew F. Leitman

v.

COACH, INC.,

Defendant.
_____/

**ORDER ON PLAINTIFF'S MOTION TO COMPEL (ECF #33) AND OTHER DISCOVERY MATTERS**

On July 27, 2016, Plaintiff Elizabeth Delorean ("Plaintiff) filed a motion to compel Defendant Coach, Inc. ("Defendant") to produce certain documents (the "Motion"). (*See* ECF #33). The Court held a hearing on the Motion on August 8, 2016. For the reasons explained on the record at the hearing, **IT IS HEREBY ORDERED THAT**:

1. Defendant shall produce documents in response to Plaintiff's Request to Produce #36 as modified by Paragraph 12 of the Motion.
2. Defendant shall not limit its response to e-mails and attachments to e-mails.
3. Defendant may limit its production to the time-frame identified on the record at the hearing on the Motion if Defendant, through counsel, certifies (as part of an amended response to Request to Produce #36) that Defendant has

(a) undertaken a reasonable investigation to identify those employees who may have information with respect to whether, outside of the time-frame identified on the record, Defendant considered closing the store at which Plaintiff worked;

(b) asked those employees whether Defendant undertook such consideration outside of the time-frame identified on the record; and

(c) determined, based on the responses from those employees, that there is no reasonable basis on which to believe that Defendant undertook such consideration outside of the time-frame identified on the record.

In addition, during the August 8, 2016, hearing, the Court also considered an oral request by Defendant to impose certain conditions and/or limitations on the deposition of witness Jennifer Becigneul ("Ms. Becigneul"). With respect to that request, **IT IS HEREBY ORDERED THAT**:

1. The parties shall set aside two days to take Ms. Becigneul's deposition. The first day shall be August 25, 2016. Counsel shall mutually agree on a second day for Ms. Becigneul's deposition to take place no later than September 9, 2016.
2. The deposition of Ms. Becigneul shall commence on the morning of August 25, 2016, at the offices of Plaintiff's counsel. Counsel for both parties and the witness shall leave open that entire day for the completion of the deposition. At least fifty-percent of Ms. Becigneul's deposition shall be

completed on August 25. If Ms. Becigneul concludes, after fifty-percent of her deposition has been completed, that the stress of continuing with the deposition would interfere with her efforts to conceive a child, Defendant's counsel may contact Magistrate Judge Steven Whalen (at 313-234-5115) on Ms. Becigneul's behalf to seek permission to adjourn the second half of her deposition to the mutually-agreed upon second date. If Magistrate Judge Whalen allows such an adjournment, then Ms. Becigneul's deposition shall be completed on the second date. If Magistrate Judge Whalen denies such an adjournment, the parties and Ms. Becigneul shall complete the deposition on August 25, 2016. (Nothing in this Order shall be construed as extending the total time allotted for Ms. Becigneul's deposition beyond that allowed under the Federal Rules of Civil Procedure. If Plaintiff desires additional time, she shall make a separate request for such time.)

**IT IS SO ORDERED.**

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: August 9, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 9, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113