

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

DONALD GUARRIELLO, et al.,

Plaintiffs,

v.

No. CV 19-1184 WJ/CG

YASHNA ASNANI, et al.,

Defendants.

**ORDER ADOPTING CHIEF MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

**THIS MATTER** is before the Court on the Chief Magistrate Judge's *Proposed Findings and Recommended Disposition* (the "PFRD"), filed April 9, 2021 (**Doc. 85**). In the PFRD, the Chief Magistrate Judge recommended that Plaintiffs' *Motion to Show Cause* (Doc. 74) be granted in part. Doc. 85 at 6. The parties were notified that written objections to the PFRD were due within fourteen days. *Id.* No objections have been filed and the deadline of April 23, 2021, has passed. The recommendation of the Chief Magistrate Judge is therefore adopted by this Court.


**IT IS THEREFORE ORDERED** that Plaintiffs' *Motion to Show Cause* (Doc. 74) is **GRANTED IN PART**.

**IT IS FURTHER ORDERED** that Defendants shall produce to Plaintiffs a computer-readable data file containing the names, addresses, email addresses, telephone numbers, and dates of employment for all individuals who worked as a server at any of Defendants' New Mexico Denny's restaurants at any point between December 18, 2016 and the present, by no later than **May 24, 2021**.

**IT IS FINALLY ORDERED** that the Court shall hold in abeyance Plaintiffs' request that Defendants be held in contempt of the February 5, 2021 Order and Plaintiffs' request for attorney

fees, pending compliance with the above; and Plaintiffs' request for equitable tolling of the FLSA statute of limitations period for any opt-in plaintiffs.

**IT IS SO ORDERED.**



WILLIAM P. JOHNSON  
CHIEF UNITED STATES DISTRICT JUDGE