

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK****CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: A. KATHLEEN TOMLINSON
U.S. MAGISTRATE JUDGE

DATE: 11-19-2018
TIME: 10:10 a.m. (17 minutes)

Martin v. Designatronics Inc., et al.
CV 17-4907 (DRH) (AKT)

TYPE OF CONFERENCE: **MOTION HEARING**

APPEARANCES: Plaintiff: David Evan Gottlieb
Kenneth Daniel Walsh
Defendants: Frank W. Brennan

FTR: 10:10-10:27

SCHEDULING:

Counsel are directed to contact Chambers (631-712-5760) to set up a telephone conference within three days of Judge Hurley's decision on the motion to dismiss if the motion is denied in whole or in part.

THE FOLLOWING RULINGS WERE MADE:

1. Today's hearing was set to issue a decision on plaintiff's pending motion to compel and the opposition filed by defendants. *See* DE 41. The motion is GRANTED in limited part as follows:
 - Defendants shall produce, by November 29, 2018, pay stubs, W-2 forms and any payroll records for the plaintiff for the period during which he was employed (the Court understands that defendants contest the "employment" relationship); and
 - Defendants shall produce year-end financial statements only for the years 2013 through 2017. These records shall also be produced by November 29, 2018.

The rest of the relief sought by the plaintiff is denied.

2. All of the discovery in this case remains stayed pending the outcome of the pending motion to dismiss.

SO ORDERED

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge