

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

EQUAL EMPLOYMENT)	CIVIL NOS. 05-00479 SPK/LEK
OPPORTUNITY COMMISSION,)	05-00496 SPK/LEK
)	(consolidated)
Plaintiff,)	
)	
and)	
)	
CHARLES DANIELS,)	
)	
Plaintiff-Intervenor,)	
)	
vs.)	
)	
LOCKHEED MARTIN, dba)	
LOCKHEED MARTIN LOGISTICS)	
MANAGEMENT, INC.,)	
)	
Defendant.)	
_____)	

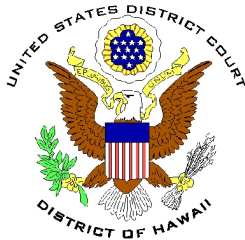
ORDER AFFIRMING DISCOVERY ORDER

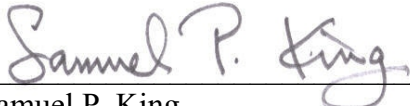
Pursuant to LR 74.1 and 28 U.S.C. § 636(b)(1), Plaintiff the Equal Employment Opportunity Commission and Plaintiff-Intervenor Charles Daniels (collectively, “Plaintiffs”), appeal a June 1, 2006, order of U.S. Magistrate Judge Leslie E. Kobayashi, denying “Plaintiffs’ requests to compel depositions of witnesses without subpoena, and to take place in Hawaii, and to compel production of the personnel files” (“Discovery Order”).

The Court has reviewed the written filings and, being fully apprised of the issues, hereby AFFIRMS the Discovery Order. The Discovery Order was neither clearly erroneous nor contrary to law. Upon review of the record, the Court agrees with Judge Kobayashi that Plaintiffs have failed to make the necessary showing to justify the wholesale production of the requested personnel files of Daniels' co-workers. Even if some of the information in the particular files might potentially be relevant, the privacy interests at stake (even with a protective order) as well as the less-invasive means of seeking the relevant information indicate that the Discovery Order was proper.¹ Accordingly, the Discovery Order of U.S. Magistrate Judge Leslie E. Kobayashi of June 1, 2006, is AFFIRMED.

IT IS SO ORDERED.

DATED: June 30, 2006.





Samuel P. King
Senior United States District Judge

¹ It appears that the issue regarding whether particular individuals are “managing agents” under Rules 30(b)(6) and 37(d) is moot.