

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	
)	
Plaintiff,)	Civil. No. 05-1521-HO
)	
)	
v.)	ORDER
)	
GABRIEL PARRA, TONY RODRIGUEZ, Jr.,)	
and T.J. HEBERT)	
)	
Plaintiff Intervenors,)	
)	
)	
v.)	
)	
QWEST CORPORATION,)	
)	
Defendant.)	
)	

Plaintiff EEOC alleges that defendant Qwest discriminated against plaintiff intervenors because it disciplined and terminated them on the basis of their national origin. Plaintiff intervenors each worked as network technicians, driving company vehicles to

service calls throughout the work day. Defendant Qwest claims that its discipline of plaintiff intervenors ensued after it received a customer complaint alerting Qwest to the presence of a company truck located in front of plaintiff intervenor T.J. Hebert's home during work hours. That customer previously sought a protective order prohibiting the disclosure of his/her identity. The court denied the motion, but allowed the customer an opportunity to submit an affidavit detailing the detailing the basis for his/her fears.

As noted previously, the person from whom discovery is sought can, for good cause shown, move the court for a protective order. Customer Doe again seeks to prohibit disclosure of his or her identity based on personal safety fears and fear of harm to his/her family. Customer Doe has submitted an affidavit detailing the reasons for believing that disclosure will lead to harm. However, as the court noted in its previous order, the identity of the customer is discoverable. The court finds that Qwest's previous submission of a proposed protective, prohibiting plaintiff intervenors from contacting Customer Doe, is sufficient to address the concerns raised by the customer in the affidavit. Accordingly, Customer Doe's motion for a protective order is denied to the extent it seeks to preclude disclosure of identity. The court will issue a protective order prohibiting contact concurrent with this order.

Because the court declines to prohibit disclosure of the customer's identity, plaintiff's joint motion to compel answers to interrogatories and requests for production is granted. However, plaintiff's request for resumption of the deposition of Susan Beckler for the purpose of obtaining answers to questions she was instructed not to answer, is denied. The only question she was instructed not to answer was the identity of the customer.

CONCLUSION

For the reasons stated above, Customer Doe's motion for a protective order prohibiting disclosure of identity (#74) is denied. Plaintiff's joint motion to compel responses to interrogatory No. 22 and request for production No. 151 (#71) is granted.

DATED this 23rd day of January, 2007.

s/ Michael R. Hogan
United States District Judge