

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

v.

RAZZOO'S, L.P.,

Defendant.

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Civil Action No. 3:05-CV-562-P

ECF

ORDER

Pursuant to the District Court's *Order of Reference*, filed August 31, 2006, *Plaintiff Equal Employment Opportunity Commission's Motion to Compel*, filed August 15, 2006, has been referred to this Court for hearing, if necessary, and for determination.

The Court conducted a hearing on the record concerning this motion on Wednesday, October 11, 2006. After consideration of the pleadings, evidence, oral argument, and applicable law, and for the reasons stated on the record during the hearing, the Court determines that the motion should be, and it is hereby, **GRANTED, in part**, and **DENIED, in part**. Accordingly,

Plaintiff's motion to compel a response to Interrogatory No. 15 is **DENIED as moot** based on the representation of the EEOC that it was withdrawing the motion as to this request.

Plaintiff's motion to compel a response to Interrogatory No. 16 is **GRANTED, in part**. The interrogatory is hereby modified and limited to request information concerning all individuals who were employed as servers at the restaurants where bartenders were hired during the pay period in which the bartenders were hired, for the time period from February 2000 until the present. Defendant may comply with this interrogatory pursuant to Federal Rule of Civil Procedure 33(d) by producing the personnel files and W-2s for these individuals.

Plaintiff's motion to compel a response to Interrogatory No. 18 is **GRANTED, in part.** The interrogatory is hereby modified and limited to request information concerning all individuals who were employed as servers at the restaurants where bartenders were hired during the pay period in which the bartenders were hired, for the time period from February 2000 until the present.

Plaintiff's motion to compel a response to Requests for Production Nos. 1-9 and 12-13 is **GRANTED, in part.** Defendant shall produce the personnel files and W-2s for (1) all individuals who were employed as servers at the restaurants where bartenders were hired, during the pay period in which the bartenders were hired, and (2) all individuals hired as bartenders, for the time period from February 2000 until the present.

The parties are hereby ordered to submit to the Court, **no later than 5:00 p.m. on Monday, October 23, 2006**, an agreed protective order delineating the conditions under which the above-referenced documents will be produced.

Subject to the agreed protective order, Defendant shall produce and deliver all interrogatory responses and responsive documents ordered to be produced herein to Plaintiff's counsel **no later than 5:00 p.m. on Friday, November 10, 2006**, unless otherwise agreed by the parties.

All relief not expressly awarded herein is hereby denied.

SO ORDERED on this 11th day of October, 2006.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE