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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
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10 MAG AEROSPACE INDUSTRIES,
11 INC.,

Plaintiff,

12 v.

13 B/E AEROSPACE, INC.,

14 Defendant.
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No. CV 13-6089 SJO (FFMx)

RULING ON SUBMITTED MATTER

16 On August 19, 2014, plaintiff's first motion to compel and second motion to
17 compel came on for hearing. After entertaining argument from the parties, the Court took
18 the matter under submission. With respect to plaintiff's first motion to compel, the Court
19 rules as follows:

20 Interrogatory No. 11 - Denied.

21 Interrogatory No. 5 - Granted. Defendant is ordered to produce all responsive
22 documents within five days of the date of this order. To the extent a non-party customer
23 files a motion for protective order prior to the expiration of the deadline for production,
24 production will be stayed pending determination of the motion.

25 Interrogatory No. 8 - Denied.

26 Interrogatory No. 12 - Granted to the following extent, defendant must confirm
27 whether or not the response to Interrogatory No. 12 identifies every aircraft vacuum toilet
28 developed, designed, engineered, manufactured, made, used, sold, or offered for sale by

1 defendant since January 1, 2007. The verified response to this interrogatory is due within
2 five days of the date of this order.

3 Interrogatory No. 13 - Denied.

4 Interrogatory No. 14 - Granted to the following extent: defendant is to inquire of
5 no more than 20 current employees who have been identified in defendant's response to
6 this interrogatory. Defendant shall ascertain from such employees, their best recollection
7 as to whether and, if so, when such employee was initially contacted, solicited, or
8 recruited by defendant. In addition, defendant shall ascertain to the best recollection of
9 such employees, to the extent conveyed to such employee by defendant, defendant's
10 stated reason for contacting, soliciting or recruiting the employee. The supplemental
11 response to this interrogatory is due on or before the last day for discovery herein.

12 With respect to plaintiff's motion number 2, the Court will await the further
13 briefing requested by the Court to resolve the motion with respect to Interrogatory Nos. 3,
14 4, and 11 and Request for Production Nos. 1, 5, and 26.

15 With respect to the remainder of the motion, the Court rules as follows:

16 Request for Production No. 12 - Defendant is ordered to produce the privilege log
17 within ten days of the date of this order.

18 Request for Production Nos. 13 and 18 through 20 - Denied.

19 Interrogatory No. 15 - Denied.

20 The Court sustains defendant's objections to the deposition of its CEO. Plaintiff
21 has failed to demonstrate that defendant's CEO has unique, first hand, non-repetitive
22 information.

23 Finally, plaintiff requests that it be permitted to conduct an additional session of
24 defendant's 30(b)(6) designee Randy Peters for the purpose of reviewing repair files that
25 were produced by defendant after Mr. Peters's deposition was taken on July 15, 2014.
26 Given the content of the repair files and the statements made by plaintiff's counsel
27 regarding the testimony plaintiff seeks to elicit from Mr. Peters, the Court rules as
28 follows: plaintiff's request is denied to the extent that defendant stipulates to the

1 authenticity and accuracy of the documents contained in the repair files. To the extent
2 defendant fails to so stipulate within five days of the date of this order, plaintiff may
3 conduct an additional session of the deposition of Mr. Peters limited to interrogation
4 related to the documents contained in the repair files. Such additional session, not
5 including time usurped by objections or breaks, shall not exceed three hours.

6 IT IS SO ORDERED.

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8 DATED: August 19, 2014

9 /S/ FREDERICK F. MUMM
10 FREDERICK F. MUMM
11 United States Magistrate Judge
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