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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION AND
RAUL TOMAS GUTIERREZ,

No. C 04-04092 WHA

Plaintiffs,

v.

INTERSTATE HOTELS, L.L.C., HMC
ACQUISITION PROPERTIES, INC.,
dba SAN FRANCISCO MARRIOTT AT
FISHERMAN'S WHARF; JOHN
TROVATO; PENNY RICHARDSON,

**ORDER REGARDING PLAINTIFF
IN INTERVENTION'S REQUEST
TO QUASH EMPLOYMENT
RECORDS SUBPOENA AND
NOTICES OF DEPOSITIONS OF
FRANCISCO MELARA,
DR. KROES, RON MALONE
AND XIU MIN LI**

Defendants.

On June 17, 2005, the parties appeared before the Court for a telephone hearing on the June 14, 2005, request of plaintiff in Intervention Raul Gutierrez ("Gutierrez") to quash defendants' employment records subpoena to the Sir Francis Drake Hotel and the notices of depositions of Francisco Melara, Dr. Kroes, Ron Malone, and Xiu Min Li. After reviewing the respective papers and hearing the argument of counsel, the Court adopted the following rulings:

1. Plaintiff in intervention's request to quash Defendants' subpoena to the Sir Francis Drake Hotel is granted in part. Defendants' subpoena to the Sir Francis Drake Hotel is limited to the period covering September 1, 2003, to December 31, 2004.

