

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 06-cv-01273-WYD-BNB

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

v.

ALBERTSON'S LLC, f/k/a Albertson's, Inc.,

Defendant.

ORDER

This matter is before me on the following:

- (1) **Plaintiff EEOC's Motion to Compel Rule 34(a) Request for Entry Upon Land and Request for Expedited Hearing** [Doc. # 63, filed 2/5/2007] (the "Motion for Inspection");
- (2) **Plaintiff EEOC's Motion to Compel Production of Documents and Request for Expedited Hearing** [Doc. # 65, filed 2/6/2007] (the "Motion to Compel"); and
- (3) **Defendant Albertson's LLC's Motion for Extension of Time [etc.]** [Doc. # 73, filed 2/13/2007] (the "Motion for Extension").

I held a hearing on the motions this afternoon. During the hearing, I was informed that the parties have resolved the Motion for Inspection and that the defendant has withdrawn the Motion for Extension. With respect to the Motion to Compel, I made rulings on the record which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion for Inspection is DENIED as moot in view of the parties resolution of the matter.

IT IS FURTHER ORDERED that the Motion for Extension is DENIED as withdrawn.

IT IS FURTHER ORDERED that the Motion to Compel is GRANTED IN PART and DENIED IN PART, as stated on the record. In view of the guidance provided today, the parties are to confer and agree as to what portions of the personnel files should be disclosed with respect to each of the approximately 133 individuals at issue. In addition, production of the personnel files may be pursuant to a blanket protective order in the nature of the Appendix to Gillard v. Boulder Valley School Dist., 196 F.R.D. 382 (D. Colo. 2000). Production of the personnel files shall be made on or before **February 26, 2007**.

Dated February 16, 2007.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge