

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

Plaintiff,

MALERIE MEYERS,

Case No. 3:04-cv-978-J-16MMH

Intervenor,

vs.

JAX INNS, INC.,
d/b/a Spindrifter Hotel,

Defendant.

_____ /

ORDER

THIS CAUSE is before the Court on Plaintiff and Intervenor's Joint Motion for Protective Order and to Quash Defendant's Subpoenas and Memorandum in Support Thereof (Doc. No. 31; Motion) filed on July 28, 2005. In the Motion, Plaintiff and Intervenor seek an order from the Court "to protect Ms. Meyers from the unwarranted release of her personnel records and to Quash Defendant's third party subpoenas served upon UBS Paine Webber, Randstad (p/k/a) Accustaff Inc, and Q, The Sports Club." Motion at 1. Plaintiff and Intervenor assert that these subpoenas to Ms. Meyers former employers are overbroad, not reasonably calculated to lead to the discovery of admissible evidence and seek private and confidential information regarding Ms. Meyers. See id. However, It is unclear from the Motion whether the prior employers have objected or indicated an intention not to comply

with the subpoenas in accordance with Rule 45(c)(2)(B), Federal Rules of Civil Procedure (Rule(s)). Therefore, out of an abundance of caution, the Court will stay the discovery at issue until the Motion is resolved. Accordingly, it is

ORDERED:

1. Plaintiff and Intervenor's Joint Motion for Protective Order and to Quash Defendant's Subpoenas and Memorandum in Support Thereof (Doc. No. 31) is **GRANTED, in part**, to the extent that the discovery at issue in the Motion is hereby **STAYED** pending further order of the Court. To the extent that the subpoenaed parties have not produced the requested documents, Defendants shall immediately instruct them that they need not produce the responsive documents until further order of the Court. On the other hand, if subpoenaed documents have been produced to Defendant's counsel, its counsel shall maintain the records, but not inspect or review the documents or permit anyone to inspect or review the documents until further order of the Court.

2. Otherwise, Plaintiff and Intervenor's Joint Motion for Protective Order and to Quash Defendant's Subpoenas and Memorandum in Support Thereof (Doc. No. 31) is **TAKEN UNDER ADVISEMENT.**

3. Defendant shall provide its response to Plaintiff and Intervenor's Joint Motion for Protective Order and to Quash Defendant's Subpoenas and Memorandum in Support Thereof (Doc. No. 31) no later than the close of business on **August 15, 2005**.

DONE AND ORDERED at Jacksonville, Florida on July 29, 2005.


MARCIA MORALES HOWARD
United States Magistrate Judge

ja

Copies to:

Counsel of Record