

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

FILED  
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CLERK, U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

vs.

CASE NO. 8: 99-CV-1371-T-17MAP

RIO BRAVO INTERNATIONAL, INC.,  
and INNOVATIVE RESTAURANT  
CONCEPTS, INC., and APPLEBEE'S  
INTERNATIONAL, INC., d/b/a RIO  
BRAVO CANTINA,

Defendants.

ORDER

Before the Court is the Defendants' amended motion to compel answers to Defendants' third set of interrogatories (doc. 173) and Defendants' amended motion to compel Plaintiff Sheri Calvo's answers to Defendants' second set of interrogatories and second request for production of documents (doc. 174). For the reasons stated at today's hearing, and for the reasons set forth below, it is

ORDERED:

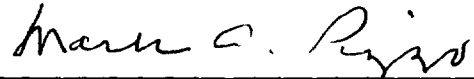
1. The Defendants' amended motion to compel answers to Defendants' third set of interrogatories (doc. 173) is **GRANTED**. The Plaintiff EEOC is to provide the Defendants with answers to interrogatories one, two, and three within 30 days of this order. As explained at the hearing regarding the scope of the response to interrogatory one, to the extent the EEOC intends to introduce at trial evidence demonstrating a pattern

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of sexual harassment, it should describe that pattern, outline the period of conduct, and identify the witnesses it may call at trial to support the claims. If the EEOC intends to highlight particular instances within this pattern of misconduct, it should describe the event, the approximate date, and the witnesses it may call to support the allegations.<sup>1</sup>

2. The Defendants' amended motion to compel Plaintiff Sheri Calvo's answers to Defendants' second set of interrogatories and second request for production of documents (doc. 174) is **DENIED**.

DONE AND ORDERED at Tampa, Florida on April 4, 2001.



MARK A. PIZZO  
UNITED STATES MAGISTRATE JUDGE

cc: Counsel of Record

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<sup>1</sup> As noted at the hearing, the Defendants' requests are contention interrogatories. Such interrogatories are permissible under Fed. R. Civ. P. 33(c) and serve to clarify and narrow the issues for trial. See *Starcher v. Correctional Medical Systems, Inc.*, 144 F.3d 418, 421 (6th Cir. 1998); *Manual for Complex Litigation, Third* (1995) at § 21.461.