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NORWEGIAN CRUISE LINE LTD.,
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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

U.S. EQUAL EMPLOYMENT)	CIVIL NO. CV06-00451 SOM BMK
OPPORTUNITY COMMISSION,)	
	)	ORDER (1) GRANTING IN PART
Plaintiff,	)	AND DENYING IN PART
	)	DEFENDANT NCL AMERICA
and	)	INC.'S MOTION TO COMPEL
	)	AND FOR REASONABLE
ABDULLAH YAHIA, AHMED	)	EXPENSES [DOCKET 158]; AND
ALMLHANY, AHMED ALMRAISI,	)	(2) GRANTING IN PART AND
NAGI A. ALZIAM, MUTHANA A.	)	DENYING IN PART PLAINTIFF
SHAIBI, NORK YAF AIE, and SAMED	)	U.S. EQUAL EMPLOYMENT
KASSAM,	)	OPPORTUNITY COMMISSION'S
	)	MOTION VIA LETTER BRIEF TO
Plaintiff-Intervenors,	)	COMPEL DISCOVERY [174]
)	
<i>Caption cont'd on next page</i>)	

vs.) CIVIL NO. CV 06-00451 SOM BMK
)
NCL AMERICA INC.,) Hearing
NORWEGIAN CRUISE LINE LTD.,) DATE: November 15, 2007
and NORWEGIAN CORPORATION) TIME: 9:30 a.m.
LTD.,) JUDGE: Barry M. Kurren
)
Defendants.)
_____) TRIAL: February 26, 2008

**ORDER (1) GRANTING IN PART AND DENYING IN PART
DEFENDANT NCL AMERICA INC.'S MOTION TO COMPEL
AND FOR REASONABLE EXPENSES [DOCKET 158]; AND
(2) GRANTING IN PART AND DENYING IN PART PLAINTIFF
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
MOTION VIA LETTER BRIEF TO COMPEL DISCOVERY**

Defendant NCL America Inc.'s Motion To Compel and For Reasonable Expenses ("NCLA's Motion To Compel") [Docket 158] and Plaintiff U.S. Equal Employment Opportunity Commission's motion via letter brief to compel discovery ("EEOC's Motion To Compel") came on for hearing before this Court on November 15, 2007 at 9:30 a.m. Victor Viramontes appeared for Plaintiff EEOC; Robert Clough appeared for Plaintiff-Intervenors; and Christopher Yeh appeared for Defendants.

The Court, having reviewed the briefs and heard arguments, finds as follows: With regard to NCLA's Motion To Compel, the motion is GRANTED IN PART AND DENIED IN PART. By November 29, 2007, Plaintiff-Intervenors Al-

Mlhany, Almraisi, and Yahia must send letters to the cell phone carriers with whom they had accounts in the Summer of 2004. A copy of the letters shall be sent simultaneously to Defendants' counsel. In those letters, Al-Mlhany, Almraisi, and Yahia shall request that all of their cell phone records for the period covering June 1, 2004 through August 31, 2004 be mailed by the carrier as soon as possible to both Intervenors' counsel and Defendants' counsel. NCLA's request for reasonable expenses is DENIED.

With regard to EEOC's Motion To Compel, the motion is GRANTED IN PART AND DENIED IN PART: With regard to EEOC's requests #1 and 2 (regarding corporate relationships), those requests are vague and overly broad and do not warrant further discovery at this time. With regard to EEOC's requests #4 and 5 (financial condition), the respective defendants, as identified in those requests, shall submit a financial statement subject to a protective order. With regard to EEOC's request #34 (personnel file), the third-party personnel file shall be produced subject to a protective order. Defendants shall prepare the above-described protective orders for the parties' stipulation and/or the Court's approval.

Defendants shall produce and serve to EEOC (1) the financial statements/summary for NCL, America, Inc. and NCL, Corporation Ltd., and (2)

Eric Tedtoatoa's personnel file no later than December 17, 2007, subject to the Court's approval of the stipulated protective order.

IT IS SO ORDERED.



/s/ Barry M. Kurren
United States Magistrate Judge
Dated: December 5, 2007

APPROVED AS TO FORM:

/s/

ANNA Y. PARK, ESQ.
CONNIE LIEM, ESQ.
PETER LAURA, ESQ.
VICTOR MIRAMONTES, ESQ.
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Attorneys for Plaintiff U.S. Equal
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/s/

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**ORDER (1) GRANTING IN PART AND DENYING IN PART DEFENDANT NCL AMERICA INC.'S
MOTION TO COMPEL AND FOR REASONABLE EXPENSES [DOCKET 158]; AND (2) GRANTING IN
PART AND DENYING IN PART PLAINTIFF U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S MOTION VIA LETTER BRIEF TO COMPEL DISCOVERY**

U.S. Equal Employment Opportunity Commission and Abdullah Yahia, et al. vs. NCL America Inc., et al.; Civil No.
CV 06-00451 SPK BMK