

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION)	
)	
Plaintiff,)	
)	
and)	
)	
MOHAMMED SHANIF HUSSEIN,)	
)	
Plaintiff-Intervenor,)	
)	
v.)	Case No. 4:03CV00964 TCM
)	
TRANS STATES AIRLINES, INC.,)	
)	
Defendant.)	

ORDER

On January 16, 2004, Plaintiff EEOC (“EEOC”) filed a Motion to Compel Production of Documents, ^[doc. 17] requesting the Court compel certain financial information of Defendant requested in EEOC’s Request for Production of Documents Nos. 8, 9, 10, 11 and 12. On January 26, 2004, Defendant filed its Opposition to EEOC’s Motion to Compel, requesting the Court sustain its objection to EEOC’s Request Nos. 8, 9, 10, 11 and 12. EEOC’s Motion to Compel is granted in part and denied in part. On February 12, 2004, this Court heard the positions of the Parties and orders as follows: EEOC’s Motion to Compel is denied with respect to Request Nos. 8 and 9 and Defendant’s objections to Request Nos. 8 and 9 are, hereby, sustained. EEOC’s Motion to Compel is granted in part and denied in part with respect to Request Nos. 10, 11 and 12.


Defendant is hereby ordered to produce statements of its net worth, inclusive of assets, income, expenses and liabilities for years 2000 forward. Such statements shall included financial information demonstrating Defendant’s net worth in form and substance in which a publicly held

corporation provides such information to its shareholders and investors. Defendant's objections to Request Nos. 10, 11 and 12 are sustained in all other respects.

The Court orders the information produced by Defendant pursuant to this Order be held in confidence by all counsel, except such information may be disclosed to the extent necessary for use at trial in accordance with any subsequent ruling by the Court concerning its admissibility. At all times prior to such a ruling, the information produced by Defendant pursuant to this Order is to be disclosed only to counsel of record in this cause of action as of the date of this Order and to no party, including the Plaintiff-Intervenor, Mohammed Shanif Hussein, and representatives of EEOC who are not counsel of record in this action. The information may be shared with any expert retained to assess the veracity of the information obtained pursuant to this Order, however, that expert must first execute a written agreement to comply with the terms of this Order, and to agree not to disclose the information to anyone other than counsel of record in this case, as of the date of this Order. The identity of any such expert must be disclosed to Defendant no fewer than five (5) business days prior to the disclosure of the net worth statements to the expert.

The information produced pursuant to this Order is not to be shared with any counsel for the Airline Pilots Association ("ALPA"), or any other representative, employee, member or agent of ALPA. The documents and all copies thereof produced by Defendant pursuant to this Order shall be returned to Defendant immediately upon the final conclusion of this litigation.

SO ORDERED:


United States Magistrate Judge
Thomas C. Mummert

Dated: March 10th, 2004