

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GARRY SEGEL,

Plaintiff,

v.

KIMBERLY-CLARK CORPORATION,  
ET AL.,

Defendants.

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No. 09-10125

District Judge John Corbett O'Meara

Magistrate Judge R. Steven Whalen

**ORDER RE: PLAINTIFF'S MOTION TO COMPEL**

For the reasons and under the terms stated on the record on October 29, 2009, Plaintiff's Motion to Compel Discovery [Docket #22] is GRANTED IN PART AND DENIED IN PART.

As to information regarding Beth Mauk (Plaintiff's First Request to Produce, Request #7], the motion is GRANTED only to the extent that Defendant shall produce the portions of Ms. Mauk's personnel file, set forth on the record on October 29, 2009, for the time period of two years before she was hired into Plaintiff's former position to the date she was hired into that position. This material will be designated "Confidential," and shall be subject to the provisions of the protective order entered in this case on April 16, 2009. Ms. Mauk may also be deposed, as set forth on the record.

As to Plaintiff's request for the Defendant's organizational charts (First Request to Produce #6), the motion is DENIED.

As to documents regarding calibration meetings (Plaintiff's Eighth Request for Production of Documents, Request #1), the motion is GRANTED only to the extent that the previously produced, but redacted list of employees shall be produced in unredacted

form. This document shall be subject to the “Confidential” provision of the protective order entered in this case. In all other respects, the motion is DENIED.

As to other complaints of age discrimination (Plaintiff’s Second Set of Interrogatories, Interrogatory #1), the motion is GRANTED, limited to formal, written complaints (eg, written grievances, EEOC complaints, lawsuits) by individuals within the supervisory reach of Mr. DelViscio, as set forth on the record on October 29, 2009.

All discovery ordered herein shall be produced within 30 days of the date of this Order.

Finally, regarding the personnel file of William Phillips (Plaintiff’s First Request for Production of Documents, Request #5), Defendants’ counsel shall, within seven days of the date of this Order, submit this documentation for *in camera* review.

SO ORDERED.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: October 29, 2009

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on October 29, 2009.

S/Gina Wilson  
Judicial Assistant