

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE COMMISSIONER OF HUMAN RIGHTS

State of Minnesota by
Velma Korbek, Commissioner,
Department of Human Rights,

Complainant,

SECOND ORDER COMPELLING
DISCOVERY

v.

Envios Los Gallos, Inc.,

Respondent.

Appearances: Erica Jacobson, Assistant Attorney General, 445 Minnesota Street, Suite 900, Saint Paul, MN 55101-2127, on behalf of the Commissioner of Human Rights ("Complainant"). David M. Lawson, 3055 Old Highway 8, Suite 102, Minneapolis, MN 55418, on behalf of Envios Los Gallos ("Respondent").

On October 26, 2004, the Complainant filed a Notice of Motion and Motion to Compel Discovery, with accompanying memorandum and affidavit of Erica Jacobson. The Respondent has not filed a response to the motion.

On November 15, 2004, Complainant's counsel sent a letter requesting that the schedule be re-examined and the hearing postponed.

Based on the submissions, and file herein, and for the reasons set forth in the accompanying memorandum,

IT IS HEREBY ORDERED:

1. Complainant's Motion to Compel Discovery is GRANTED. The Respondent has seven business days to comply.

2. A telephone conference will be held with the parties on **December 3, 2004 at 1:30 p.m.** to determine if there are any additional discovery issues, reset the discovery deadline and reschedule the hearing.

Dated this 17th day of April, 2011

/s/ Beverly Jones Heydinger

BEVERLY JONES HEYDINGER
Administrative Law Judge

MEMORANDUM

Pursuant to Minn. R. 1400.6700, subp. 2, the party seeking an order compelling discovery “shall have the burden of showing that the discovery is needed for the proper presentation of the party’s case, is not for purposes of delay, and that the issues or amounts in controversy are significant enough to warrant the discovery.” The Complainant has met that burden.

The information requested may assist the Complainant in determining whether to attempt to add Orlando Cruz Roldan as a Respondent, and to complete his deposition.

The Respondent may seek an appropriate Protective Order.

B.J.H.