

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ILENE BOYAR, :
 :
 Plaintiff, :
 :
 v. :
 : CASE NO. 3:06CV663 (RNC)
 YMCA OF NORWALK, INC., :
 :
 Defendant. :

ORDER

Pending before the court is the plaintiff's Motion to Compel Discovery (doc. #41). Oral argument was held on September 5, 2007.

Prior to oral argument, counsel for the parties informed the court that they had resolved several of the disputes raised in this motion. Several additional items were resolved by agreement of counsel during oral argument. Specifically, as stated on the record, the plaintiff withdraws her motion to compel as to Requests for Production #1, 7, 8, 9, 10, 11, 12, 13, 14, 19, and 20. Counsel are commended for resolving much of their dispute.

The court will address those requests which are still fully or partially in dispute.

As to Request #6, the motion to compel this request is granted.

As to Request #15, the parties agreed in open court that the defendants will produce all disciplinary memoranda from Sal Basileo's personnel file pertaining to a facility which requires member supervision being left unattended. In addition, the defendant is ordered to produce a sworn affidavit stating whether

Mr. Basileo's file contains three or more disciplinary memoranda of any nature.

As to Request #22, the parties agreed in open court that the defendants will produce all disciplinary memoranda generated by and between Jeb Backus and Debbie Greenwood which pertain to a facility which requires member supervision being left unattended. In addition, the defendant is ordered to produce copies of all disciplinary memoranda for each employee (other than Mr. Basileo) whose personnel file includes three or more disciplinary memoranda.

SO ORDERED at Hartford, Connecticut this 6th day of September, 2007.

_____/s/_____
Donna F. Martinez
United States Magistrate Judge