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Attorneys for Defendants

NCL AMERICA INC.,

NORWEGIAN CRUISE LINE LTD.,

and NORWEGIAN CORPORATION LTD.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

ABDULLAH YAHIA, AHMED
ALMLHANY, AHMED ALMRAISI,
NAGI A. ALZIAM, MUTHANA A.
SHAIBI, NORK YAF AIE, and SAMED
KASSAM,

Plaintiff-Intervenors,

Caption cont'd on next page

) CIVIL NO. CV06-00451 SPK BMK

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) ORDER DENYING PLAINTIFF

) EEOC'S MOTION FOR

) PROTECTIVE ORDER UNDER

) RULE 26(c) DATED MARCH 9,

) 2007 [DOCKET 53]

)

) Hearing

) DATE: March 22, 2007

) TIME: 11:00 a.m.

) JUDGE: Barry M. Kurren

)

)

) TRIAL: November 6, 2007

vs.	)	CIVIL NO. CV 06-00451 SPK BMK
	)	
NCL AMERICA INC.,	)	
NORWEGIAN CRUISE LINE LTD.,	)	
and NORWEGIAN CORPORATION	)	
LTD.,	)	
	)	
Defendants.	)	
_____	)	

ORDER DENYING PLAINTIFF EEOC'S
MOTION FOR PROTECTIVE ORDER UNDER
RULE 26(c) DATED MARCH 9, 2007 [DOCKET 53]

Plaintiff EEOC's Motion for Protective Order filed on March 9, 2007 was heard by the Court on March 22, 2007 at 11:00 a.m. Connie Liem and Wilfredo Tungol appeared for the EEOC, Thomas Geisness for the Plaintiff-Intervenors and Richard Rand for the Defendants. The Court having reviewed the Motion and the Opposition filed by Defendant NCL America finds as follows:

Defendant NCL America ("NCLA") served a Notice of Taking Deposition pursuant Rule 30(b)(6) on Plaintiff EEOC. The EEOC objected and the parties could not resolve the matter in their conference pursuant to Local Rule 37.1. The EEOC seeks a Protective Order preventing the deposition in its entirety, contending that it would be cumulative, burdensome and irrelevant. NCLA contends that it is entitled to take the deposition to obtain factual information about the investigation. NCLA amended its Notice of Taking Deposition adding the

subjects of Drafting of the Charges of Discrimination, any investigation into Defendants NCL Corporation and Norwegian Cruise Lines, and the person most knowledgeable about the EEOC's response to NCLA's Request for Interrogatories.

The Court does not find that the EEOC has established good cause to prevent the deposition from going forward. The Court will allow the deposition to proceed as to inquires into factual areas, not the thought process of the EEOC's investigator. Defendant will be permitted to ask questions as to the source of the factual information set forth in the EEOC's Interrogatory Answers, and the actions of the investigator with respect to Defendants NCL Corporation and Norwegian Cruise Lines, Defendant may ask the Investigator about the facts he gathered but not about questions he asked during the witness interviews or why the Investigator did or did not ask certain questions. The Court will resolve issues about specific questions if and when they are brought to the Court.

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IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff EEOC's
Motion For Protective Order is DENIED.

IT IS SO ORDERED.



/s/ Barry M. Kurren
United States Magistrate Judge
Dated: April 19, 2007

APPROVED AS TO FORM:

/s/

ANNA Y. PARK, ESQ.
CONNIE LIEM, ESQ.
WILFREDO TUNGOL, ESQ.

Attorneys for Plaintiff U.S. Equal
Employment Opportunity Commission

/s/

DAPHNE E. BARBEE, ESQ.
THOMAS M. GEISNESS, ESQ.

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Abdullah Yahia, Ahmed Almlhany,
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**ORDER DENYING PLAINTIFF EEOC'S MOTION FOR PROTECTIVE
ORDER UNDER RULE 26(c) DATED MARCH 9, 2007 [DOCKET 53]**
U.S. Equal Employment Opportunity Commission and Abdullah Yahia, et al. Vs.
NCL America Inc., et al.; Civil No. CV 06-00451 SPK BMK