

SUPREME COURT OF CALIFORNIA

Williams v. Superior Court of L. A. Cnty.

3 Cal. 5th 531, 220 Cal. Rptr. 3d 472 (Cal. 2017) · No. S227228 · Decided July 13, 2017

SUMMARY

The California Supreme Court considers the scope of discovery in a representative action under the Labor Code Private Attorneys General Act of 2004 (PAGA). It holds that contact information for potentially aggrieved employees is generally discoverable without requiring the plaintiff to make a preliminary showing of merit or good cause, subject to applicable objections such as privacy concerns. The court reverses the order limiting discovery to employees at the plaintiff's store and conditioning broader discovery on a deposition and showing of merit.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Werdegar, J.; Cantil-Sakauye, C. J.; Chin, J.; Corrigan, J.; Liu, J.; Cuéllar, J.; Kruger, J.
JURISDICTION	California
DECIDED	July 13, 2017
DOCKET	S227228
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Petitioner sought a writ directing the trial court to vacate an order limiting discovery in a representative action under the Labor Code Private Attorneys General Act. The Court of Appeal denied writ relief, and the California Supreme Court granted review.
STANDARD OF REVIEW	Discovery orders are reviewed for abuse of discretion. Although trial courts have wide discretion, an order based on an erroneous legal principle constitutes an abuse of discretion, and appellate courts must account for the Legislature's pro-discovery policies.
PRECEDENTIAL VALUE	published precedential California Supreme Court opinion
PARTIES	Michael Williams v. The Superior Court of Los Angeles County

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QUESTIONS PRESENTED

1. Whether a PAGA plaintiff may obtain statewide contact information for potentially aggrieved employees through interrogatories without first showing good cause or proving the merits of the underlying claims.
2. Whether the request was overbroad or unduly burdensome under California's discovery statutes.
3. Whether employee privacy interests justified a complete bar to disclosure or required a heightened compelling-need showing.
4. Whether California courts may require a PAGA plaintiff to submit to a deposition or establish a companywide policy or personal standing before obtaining discovery.

HOLDINGS

1. A PAGA plaintiff may obtain contact information for employees who may have suffered the alleged Labor Code violations when the complaint alleges violations affecting employees statewide; PAGA does not justify restricting such discovery more narrowly than comparable discovery in representative class actions.
2. A party propounding interrogatories need not establish good cause, prove the merits of the action, demonstrate personal standing, or establish a uniform companywide policy as a condition of obtaining relevant information through interrogatories.
3. An objection that interrogatory discovery is unduly burdensome must be supported by evidence showing the quantum of work required; absent such evidence, the trial court may not deny statewide discovery based solely on the number of employees or require merits proof as a substitute.
4. Employee privacy interests do not justify a complete bar to disclosure of contact information in this PAGA action; disclosure may be subject to protective measures such as a Belaire-West notice and an opportunity to opt out.
5. A party seeking discovery of private information is not automatically required to establish a compelling interest or compelling need; that heightened standard applies only to obvious invasions of interests fundamental to personal autonomy. Cases requiring a compelling interest or compelling need in every private-information discovery dispute are disapproved to that extent.

KEY QUOTATIONS

"In the absence of privilege, the right to discovery in this state is a broad one, to be construed liberally so that parties may ascertain the strength of their case and at trial the truth may be determined." (at 5)

"California law permits the use of discovery to get information necessary to plead a cause of action." (at 20)

"Courts must instead place the burden on the party asserting a privacy interest to establish its extent and the seriousness of the prospective invasion, and against that showing must weigh the countervailing interests the opposing party identifies, as Hill requires." (at 28-29)

FACTUAL BACKGROUND

Williams worked as a nonexempt employee at Marshalls's Costa Mesa store. His PAGA complaint alleged that Marshalls used companywide policies and practices denying meal and rest breaks and premiums, issuing incomplete wage statements, paying wages late, and failing to reimburse business expenses. Williams sought the names, addresses, telephone numbers, and employment histories of nonexempt California employees so he could investigate the alleged violations and identify other aggrieved employees.

PROCEDURAL HISTORY

Williams sued Marshalls under PAGA alleging companywide wage-and-hour violations and served interrogatories seeking contact information for approximately 16,500 nonexempt California employees. The trial court compelled disclosure for the Costa Mesa store where Williams worked but denied statewide discovery, conditioning any renewed request on a deposition and a showing of merit. The Court of Appeal denied writ relief, concluding that Williams had to show good cause and a compelling need. The Supreme Court reversed the Court of Appeal and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the judgment of the Court of Appeal and remand for further proceedings not inconsistent with the opinion, including reconsideration of statewide employee-contact discovery under the governing discovery and privacy principles.

CASES CITED

- John B. v. Superior Court, 38 Cal. 4th 1177, 1186 (2006)
- Emerson Electric Co. v. Superior Court, 16 Cal. 4th 1101, 1107-1108 (1997)
- Greyhound Corp. v. Superior Court, 56 Cal. 2d 355, 376-378, 380, 383-386, 388 (1961)
- Pioneer Electronics (USA), Inc. v. Superior Court, 40 Cal. 4th 360, 370-374 (2007)
- Puerto v. Superior Court, 158 Cal. App. 4th 1242, 1249-1256 (2008)
- Belaire-West Landscape, Inc. v. Superior Court, 149 Cal. App. 4th 554, 560-562 (2007)
- Hill v. National Collegiate Athletic Assn., 7 Cal. 4th 1, 34-40 (1994)
- Iskanian v. CLS Transportation Los Angeles, LLC, 59 Cal. 4th 348, 379, 384, 387 (2014)
- Arias v. Superior Court, 46 Cal. 4th 969, 980-981, 986 (2009)
- West Pico Furniture Co. v. Superior Court, 56 Cal. 2d 407, 417, 422 (1961)
- Union Mut. Life Ins. Co. v. Superior Court, 80 Cal. App. 3d 1, 9-12 (1978)
- White v. Davis, 13 Cal. 3d 757, 775 (1975)
- Digital Music News LLC v. Superior Court, 226 Cal. App. 4th 216 (2014)
- Life Technologies Corp. v. Superior Court, 197 Cal. App. 4th 640 (2011)

- Ombudsman Services of Northern California v. Superior Court, 154 Cal. App. 4th 1233 (2007)
- San Diego Trolley, Inc. v. Superior Court, 87 Cal. App. 4th 1083 (2001)
- Hooser v. Superior Court, 84 Cal. App. 4th 997 (2000)
- Planned Parenthood Golden Gate v. Superior Court, 83 Cal. App. 4th 347, 357-358 (2000)
- Johnson v. Superior Court, 80 Cal. App. 4th 1050, 1071 (2000)
- Lantz v. Superior Court, 28 Cal. App. 4th 1839, 1853-1857 (1994)
- Gentry v. Superior Court, 42 Cal. 4th 443, 459-461 (2007)
- Sakkab v. Luxottica Retail North America, Inc., 803 F.3d 425, 436, 438 (9th Cir. 2015)

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