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8 Attorneys for Plaintiffs TRACY ROSS, as
9 Guardian ad Litem of MAGGIE CHRISTINE
10 ROSS; INA PATE

11 UNITED STATES DISTRICT COURT

12 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

13 TRACY ROSS, as Guardian ad Litem
14 of MAGGIE CHRISTINE ROSS; INA
15 PATE,

16 Plaintiffs,

17 v.

18 ATICO INTERNATIONAL USA, INC.;
19 WALGREEN COMPANY; and DOES 1
20 to 50, inclusive.

21 Defendants.

CASE: 1:09-CV-01732-OWW-SKO

**ORDER ON PLAINTIFFS' MOTION
TO COMPEL PRODUCTION OF
DOCUMENTS AND ANSWERS TO
INTERROGATORIES**

22 This matter came before the Court on August 12, 2010, on the Plaintiffs'
23 motion to compel further responses to interrogatories and to compel further
24 documents. The Court ordered the parties to meet and confer. Following the
25 parties' meet and confer, the matter came before the Court. The Court heard
26 arguments, stipulations, and withdrawals by the parties with respect to each of the
27 disputed discovery requests. The Court ruled on each discovery dispute from the
28 bench and ordered Plaintiffs' counsel to prepare a proposed order that conformed to
the Court's ruling. Defendants' counsel was to approve the form and content of the

1 proposed order before it was submitted to the Court. The parties submitted the
2 following proposed order:

3 1. The period of time for all requests, unless otherwise directed, is
4 amended so that the period of 2001 through 2005 is the modification of all
5 interrogatories and requests for the production of documents.

6 2. The Court rejects the restrictive definition of a Kiddee Folding Chair as
7 set forth in the defendants' responses and adopts the broader definition of the chair
8 as set forth in the requests.

9 3. With respect to the motion to compel interrogatories propounded to
10 ATICO, the Court grants the motions as to interrogatories Nos. 3, 4, 5, 6, 8, 9, 11,
11 12, 13, 17, 18, 19, 20, 21, and 23. The motion is granted as to interrogatory No. 7
12 as to information given to Walgreens. The motion is denied as to Nos. 10 and 24.

13 4. With respect to the motion to compel the production of documents by
14 ATICO, the Court grants Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18, and 19.
15 The request to No. 20 is withdrawn. The defendant is ordered to answer request No.
16 22, 26, and 27.

17 5. With respect to the interrogatories directed to Walgreens, the Court
18 grants the motion as to interrogatories Nos. 1, 2, 3, 4, 5, 6, 7, 9, and 12. With
19 respect to No. 8, the Court orders the production of such documents with respect to
20 Kiddee Folding Chairs to Walgreens.

21 6. With respect to the requests to produce documents to Walgreens, the
22 Court grants the motion with respect to Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 16,
23 17, 18, and 21. Request No. 19 is withdrawn.

1 IT IS ORDERED that Defendants shall respond as detailed above no later
2 than September 3, 2010.

3 Approved as to form:

4 /s/ Stephen R. Cornwell
5 Stephen R. Cornwell
6 Attorney for the Plaintiff and moving party

August 19, 2010

7 /s/
8 Bruce Berger
9 Attorney for the Defendant and responding party

August 20, 2010

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11 IT IS SO ORDERED.

12 Dated: August 27, 2010

/s/ Sheila K. Oberto
13 UNITED STATES MAGISTRATE JUDGE
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