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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANKLIN FUELING SYSTEMS, INC.,

Plaintiff,

No. 2:09-cv-0580 FCD JFM

vs.

VEEDER-ROOT COMPANY,

Defendant.

ORDER

Defendant’s motion to compel discovery came on for hearing on April 20, 2010. Seth Hilton and Brian Nese appeared for plaintiff. Bryan Wilson appeared for defendant. Upon review of the motion and the joint statement re discovery disagreement, upon hearing the arguments of counsel and good cause appearing therefor, THE COURT FINDS AS FOLLOWS:

Plaintiff has not met its burden in showing that the proposed search of John Haines, Matthew Johnson, Don Kenney, Bill Nelson, and Scott Trumbull would be burdensome or unreasonably costly. It has already conducted the search on five custodians and has agreed in the joint statement to conduct the search on five additional custodians. Accordingly, defendant’s motion to compel is granted as to this matter.

However, defendant’s motion is denied as to its request for an additional deposition of a Rule 30(b)(6) witness. The court finds that defendant is able to obtain the information it seeks from documents already within its possession.

