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

BEST BUY STORES, L.P., a Virginia
limited partnership,

Plaintiff,

No. 2:10-cv-0389-WBS-KJN

vs.

MANTECA LIFESTYLE CENTER, LLC,
a Delaware limited liability company,

Defendant.

ORDER

At the joint request of plaintiff and counter-defendant Best Buy Stores, L.P. (the “plaintiff” or “Best Buy”) and defendant and counter-claimant Manteca Lifestyle Center, LLC (the “defendant” or “Manteca”), the undersigned presided over an informal telephonic conference between the parties on August 25, 2011, at 2:00 p.m.¹ Attorney Amy Churan attended telephonically on behalf of the plaintiff. Attorneys Howard Jeruchimowitz and Rita Powers attended telephonically on behalf of the defendant.

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¹ This action proceeds before the undersigned pursuant to Eastern District of California Local Rule 302(c)(1) and 28 U.S.C. § 636(b)(1).

1 For the reasons discussed during the conference, it is hereby ORDERED that:

2 1. By close of business on Friday, September 2, 2011, defendant Manteca is
3 ordered to produce all communications between Manteca and its tenants² responsive to the
4 following narrowed topics: “letters of intent, phases/sections, tenant mix, timing and/or delay of
5 construction of buildings, definition of the term shopping center, square footage/GLA of the
6 shopping center, outlet stores, and certificates of occupancy.”³

7 2. The court takes Defendant’s Motion For Protective Order, Or, In The
8 Alternative, To Quash The Subpoenas (Dkt. No. 55) under submission at this time.

9 3. By consent of the parties, Judge Newman will preside over another
10 informal telephonic conference at 2 p.m. on Thursday, September 22, 2011, if necessary. That
11 conference will address the status of Manteca’s production of documents responsive to the
12 above-described topics, as well as whether there is a need for additional document production by
13 non-party tenants. The parties shall telephone Judge Newman’s courtroom deputy at (916) 930-
14 4187 at 2 p.m. on September 22, 2011. Each party shall file a short “letter brief” regarding the
15 discovery dispute by 5 p.m. on Tuesday, September 20, 2011. The letter briefs may include
16 attachments, if necessary, but the parties should strive for brevity.

17 IT IS SO ORDERED.

18 DATED: August 25, 2011

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20 
21 KENDALL J. NEWMAN
22 UNITED STATES MAGISTRATE JUDGE

23 ² The term “tenants” as it is used in this sentence means the seven existing tenants and
24 one prospective tenant to which Best Buy has issued nonparty subpoenas. Those nonparty
subpoenas were the subject of the August 25, 2011 teleconference.

25 ³ This list of topics was the result of the parties’ meet and confer efforts and was stated in
26 the third paragraph of plaintiff’s letter brief dated August 23, 2011, as well as in the second
paragraph of defendant’s letter brief dated August 23, 2011.