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

SEDGWICK CLAIMS MANAGEMENT
SERVICES, INC.,

Plaintiff,

No. 2:12-mc-0053 LKK CKD

vs.

KIMBERLEY SOUKUP,

Defendant.

ORDER

_____ /
Pending before the court is defendant’s motion to quash a subpoena directed to the custodian of records for Facebook, Inc.¹ The motion was not noticed for hearing. Having reviewed the record, the court has determined that oral argument would not be of material assistance in determining the pending motion. See E.D. Cal. L.R. 230(g). Upon review of the briefs in support and opposition, and good cause appearing therefor, THE COURT FINDS AS FOLLOWS:

In the underlying action, plaintiff asserts that defendant misappropriated plaintiff’s trade secret, proprietary, and confidential information. In deposition, defendant has admitted that

_____ /
¹ The underlying action is pending in the Northern District of Texas, case no. 3:11-cv-0336-K. The subpoena at issue on the pending motion was issued by the Eastern District of California and thus the motion to quash has been appropriately noticed in this District.

1 she e-mailed the subject documents to her personal e-mail account, posted comments on
2 Facebook advising others to take their employers' documents home, and threw her personal
3 computer in the trash after plaintiff had specifically requested that defendant preserve such
4 evidence. Under the circumstances presented here, the subpoena at issue is neither overbroad nor
5 does it intrude improperly into private matters. The information sought by means of the
6 subpoena at issue may lead to the discovery of admissible evidence.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Defendant's motion to quash (dkt. no. 1) is denied.
- 9 2. Discovery obtained pursuant to the subpoena shall be used solely for purposes
10 of the action pending in the United States District Court, Northern District of Texas, case no.
11 3:11-cv-0336-K.

12 Dated: August 13, 2012

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14 CAROLYN K. DELANEY
15 UNITED STATES MAGISTRATE JUDGE
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