| 1<br>2<br>3<br>4 | GILBERT J. PREMO<br>Attorney at Law (Bar No. 48503)<br>500 Northfield Lane<br>San Francisco, CA 94105<br>Telephone: (415) 974-6664<br>Facsimile: (415) 762-5350<br>gilbertpremo@gmail.com |  |
|------------------|---|--|
| 5                | Attorney for Plaintiff and Counter-Defendant  |  |
| 6                | KEITH R. CLAYTON  |  |
| 7                |   |  |
| 8                | UNITED STATES DISTRICT COURT  |  |
| 9                | EASTERN DISTRICT OF CALIFORNIA  |  |
| 10               | KEITH R CLAYTON,  | Case No. 2:13-cv-00907-JAM-EFB                                 |
| 11               | Plaintiff   | [ <del>PROPOSED</del> ]  |
| 12               | VS.   | ORDER GRANTING PLAINTIFF MOTION                                |
| 13               | AUTOMATED GAMING TECHNOLOGIES, INC. a Nevada corporation, et al.  | TO COMPEL DEFENDANT AUTOMATED<br>GAMING TECHNOLOGIES, INC. TO  |
| 14               | Defendants.   | PRODUCE DOCUMENTS PURSUANT TO<br>PLAINTIFF'S FIRST REQUEST FOR |
| 15               | AUTOMATED GAMING TECHNOLOGIES,  | PRODUCTION OF DOCUMENTS  |
| 16               | INC., a Nevada corporation,   | Date: July 30, 2014<br>Time: 10:30 a.m.                        |
| 17               | Counter-Claimant  | Judge: Hon. Edmund F. Brennan<br>Courtroom 8, 13th Floor       |
| 18               | v.  |  |
| 19<br>20         | KEITH R. CLAYTON, and DOES 1<br>Through 10, inclusive,  |  |
| 20               | Counter-Defendants.   |  |
| 21<br>22         | The motion of plaintiff and counter-de  | fendant Keith R. Clayton ("plaintiff") for an                  |
| 23               | order compelling defendant and cross-complainant Automated Gaming Technologies, Inc.  |  |
| 24               | ("AGT") to produce the documents requested in Plaintiff's First Request for Production of   |  |
| 25               | Documents to Defendant (the "Document Request") came on regularly for hearing on July 30,   |  |
| 26               | 2014, at 10:00 am., in the above-entitled Court. Gilbert J. Premo appeared as counsel for   |  |
| 27               | plaintiff, and Katie Konz, Esq. and Christopher B. Burton, Esq. of Downey Brand LLP   |  |
| 28               | appeared as counsel for AGT.  |  |

| 1  | Remaining at issue at the time of the hearing of the motion were Requests Nos. 5, 7, 11,       |  |
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| 2  | 13, 14, 15, 17, 20, 23, 24, 36, 37 and 38 of the Document Request. The Court having read and   |  |
| 3  | considered the papers submitted by the parties, and heard the arguments of counsel, and good   |  |
| 4  | cause therefor appearing, plaintiff's motion is GRANTED as to all said Requests, and the Court |  |
| 5  | ORDERS AS FOLLOWS:   |  |
| 6  | 1. AGT shall produce the stock ledger demanded in Request No. 5.                               |  |
| 7  | 2. AGT shall produce the employment and compensation agreements of all of its                  |  |
| 8  | officers and directors demanded in Request No. 7.  |  |
| 9  | 3. AGT shall produce all of its accounting ledgers and accounting journals demanded            |  |
| 10 | in Request No. 11, including but not limited to any in "Quickbooks" or other electronic form.  |  |
| 11 | 4. AGT shall produce all documents demanded in Request No. 13.                                 |  |
| 12 | 5. AGT shall produce all documents demanded in Request No. 14. This includes,                  |  |
| 13 | without limitation, all invoices issued by AGT for such sales, and all invoices to AGT for its |  |
| 14 | costs of sales.  |  |
| 15 | 6. AGT shall produce all documents demanded in, respectively, Requests Nos. 16, 17,            |  |
| 16 | 20, 23, 24. 36, 37, and 38.  |  |
| 17 | Except with respect to Request No. 14 (which specifically referred to AGT's                    |  |
| 18 | understanding of the term "Systems Division"), the production of documents under each of the   |  |
| 19 | foregoing Requests shall not be limited to those that AGT's deems to relate to the "Systems    |  |
| 20 | Division," (or "Systems Department") of AGT, but shall include all the documents demanded      |  |
| 21 | by the respective request.   |  |
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|    | 2<br>Order Granting Motion to Compel re Plaintiff's First Document Request                     |  |

| 1        | To the extent that the documents heretofore produced by AGT constitute full production          |  |
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| 2        | of all documents demanded in a particular request which is a subject of this Order, or the      |  |
| 3        | further production hereby ordered as to one particular Request which is a subject of this Order |  |
| 4        | constitutes full production of another such Request, AGT shall so certify or declare under      |  |
| 5        | penalty of perjury.   |  |
| 6        | AGT shall comply with this Order by <u>August 13, 2014</u> .                                    |  |
| 7        |   |  |
| 8        | As modified above, it is so ordered.  |  |
| 9        | Dated: August 6, 2014.  |  |
| 10       | EDMUND F. BRENNAN   |  |
| 11       | United States Magistrate Judge  |  |
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|          | <sup>3</sup><br>Order Granting Motion to Compel re Plaintiff's First Document Request           |  |
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