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

UNITED STATES ex rel. STROM,

Plaintiffs,

v.

SCIOS, INC. and JOHNSON &  
JOHNSON,

Defendants.

No. 05-3004 CRB (JSC)

**ORDER RE: DEFENDANTS'  
MOTION TO COMPEL (Dkt. No. 159)**

Pending before the Court is Defendants' Motion to Compel the production of inpatient and outpatient claims data from Medicare, TRICARE, and FEHBP from January 1, 2001 to December 31, 2007 for each patient ID number for which the government alleges a false claim was submitted. (Dkt. No. 159.) Having considered the papers submitted by the parties, and having had the benefit of oral argument on December 1, 2011, the Court GRANTS Defendants' motion.

Under the Federal Rules of Civil Procedure, a party "may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense." Fed. R. Civ. P. 26(b)(1). The information sought need not be admissible at trial "if the discovery appears reasonably calculated to lead to the discovery of admissible evidence." *Id.* The scope of

