

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 3

4 TOLL BROTHERS, INC.

No. C-08-0987 SC (MEJ)

5 Plaintiff,

6 vs.

**ORDER GRANTING DEFENDANTS'
 REQUEST FOR PRODUCTION OF
 PLAINTIFF'S FINANCIAL RECORDS**

7 CHANG SU-O LIN; HONG LIEN LIN; HONG

8 YAO LIN,

9 Defendants.

10
 11 _____
 AND RELATED CROSS-ACTION.
 12 _____/

13 Before the Court is the parties' letter brief, filed January 29, 2009, relating to Defendants'
 14 request for discovery relief. (Dkt. #94.) Defendants seek an order compelling the production of
 15 Plaintiff's financial records concerning a purchase and sale agreement of real property. Defendants
 16 contend that Plaintiff's financial records are relevant to show motive. In response, Plaintiff contends
 17 its financial records are not relevant to its claims in this case.

18 On February 20, 2009, the Honorable Samuel Conti held a pretrial conference and ruled on
 19 certain motions *in limine*. (Dkt. #141.) Specific to this discovery dispute, Judge Conti ruled that
 20 motive was relevant to Defendants' claim that Plaintiff breached the covenant of good faith and fair
 21 dealing. Accordingly, pursuant to Judge Conti's ruling at the pretrial conference, the Court hereby
 22 GRANTS Defendants' request for the production of Plaintiff's financial records.

23 **IT IS SO ORDERED.**

24
 25 Dated: March 3, 2009



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 MARIA-ELENA JAMES

27 United States Magistrate Judge
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