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STEVEN AMES BROWN,

No. C-08-02348 JSW (DMR)

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Plaintiff,

No. C-11-05822 JSW (DMR)

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v.

**ORDER RE FEBRUARY 22, 2013
DISCOVERY LETTER**

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ANDREW B. STROUD, *et al.*,

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Defendants.

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LISA SIMONE KELLY,

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Plaintiff,

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v.

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WALLY ROKER, *et al.*,

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Defendants.

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The court has reviewed the February 22, 2013 joint discovery letter submitted by Plaintiffs Steven Ames Brown and the Estate of Nina Simone and third-party The Orchard Enterprises (“Orchard”) regarding their dispute about a subpoena served on Orchard by Plaintiff Brown. [Docket No. 512.] It is unclear from the joint letter whether Orchard actually has any responsive documents and/or recordings in its possession, custody or control. If it does not, the present discovery dispute may be moot. Therefore, the court orders Orchard to submit a sworn declaration

1 to the court regarding whether it has any documents and/or recordings responsive to the subpoena in
2 its possession, custody or control, regardless of its stated objections. Such declaration shall be filed
3 by **no later than March 8, 2013.**

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5 IT IS SO ORDERED.

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7 Dated: February 28, 2013



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