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8 **UNITED STATES FEDERAL COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9 ULIN,  
 10 Plaintiffs,  
 11 vs.  
 12 ALEA-72 INC. et. al.,  
 13 Defendants,

Case No. C09-3160 EDL

~~PROPOSED~~ ORDER GRANTING IN PART  
 AND DENYING IN PART PLAINTIFF'S  
 MOTION TO COMPEL PRODUCTION OF  
 DOCUMENTS

14 On September 16, 2010 this Court heard the Plaintiff's motion to compel production of  
 15 documents. *See Docket #57.*

16 Specifically, Plaintiff sought to compel production of three categories of documents.  
 17 First, Plaintiff's Request for Document Set 3-Request No. 3 sought production of Defendants'  
 18 phone bills. Second, Plaintiff's Request for Documents Set. 2—Request No. 3 & 4 sought  
 19 production of shipping invoices for merchandise sent and received to and from Defendants'  
 20 warehouse. Finally, Plaintiff's Request for Documents Set 2—Request No. 2 were aimed at  
 21 production of canceled checks issued in conjunction with the making of cash wage  
 22 payments to employees.

23 After having reviewed and considered the moving and opposition papers, and heard and  
 24 considered parties' oral arguments, the Court finds that the Plaintiff's requests are relevant, with  
 25 the exception of Plaintiff's request for phone bills which is moot as Judge Chen has already

PROPOSED ORDER ON PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF  
 DOCUMENTS

1 ordered such documents to be produced by Defendants' service provider AT&T.

2 As such, Plaintiff's motion is GRANTED in part and DENIED in part as follows:

3 1. The shipping invoices, as requested in Plaintiff's Request for Documents Set 2 --  
4 Requests No. 3 and 4 reflect a time of delivery and/or pick-up. The information sought is thus  
5 relevant and documents shall be produced. Counsel for Defendants shall review all invoices in  
6 the possession or control of Defendants and select for production those containing a delivery  
7 and/or pickup time. Counsel for Defendants shall subsequently file a declaration attesting to the  
8 number of invoices provided by Defendants for review, that each invoice provided was  
9 reviewed by counsel, and the resulting number, if any, of invoices subject to production;

10 2. The canceled checks issued in conjunction with the making of cash wage  
11 payments to employees as requested by Plaintiff's Request for Documents Set 2--Request No. 2  
12 are relevant, and shall be produced.

13 3. All responsive documents shall be produced within 14 days of the entry of this  
14 order.

15 **IT IS SO ORDERED.**

16 Dated: September 23, 2010

17 By: Elijah D. Laporte  
18 Honorable E. D. Laporte  
19 U.S. Magistrate Judge  
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