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

5 THE ANSCHUTZ CORPORATION,

No. C 09-03780 SI

6 Plaintiff,

**ORDER RE REQUEST TO MODIFY
JUNE 5, 2012 ORDER**

7 v.

8 MERRILL LYNCH & CO., et al.,

9 Defendants.
10 _____/

11
12 Currently before the Court is defendant Fitch, Inc.'s request to modify this Court's June 5, 2012
13 Order granting in part Fitch's motions to compel. Specifically, Fitch asks the Court to amend the Order
14 to the extent it required plaintiff to search the files of Bruce Black for documents between the dates of
15 January 4, 2004 through August 27, 2009, and instead order that those files be searched for responsive
16 documents up to the present. Fitch argues that plaintiff has agreed to produce documents beyond the
17 date of August 27, 2009, with respect to two categories of documents, documents regarding plaintiff's
18 settlement with Credit Suisse and documents related to plaintiff's sales of the securities at issue, and
19 asserts that documents regarding the settlement with Credit Suisse (which occurred in September 2010)
20 are highly relevant to damages issues in this case.

21 The Court agrees that an amendment of the June 5, 2009 Order is necessary and amends the
22 Order as follows:

23 Plaintiff shall search Mr. Black's files for responsive documents dated between January 4, 2004
24 and August 27, 2009, except that documents regarding plaintiff's settlement with Credit Suisse
and documents related to plaintiff's sales of the securities at issue shall also be produced without
respect to the date of those documents.

25 **IT IS SO ORDERED.**

26 Dated: June 6, 2012



27 **SUSAN ILLSTON**
28 United States District Judge