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United States District Court
For the Northern District of California

NOT FOR CITATION

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

DOLLAR TREE STORES, INC.,

No. CV 10-0325 SI (NJV)

Plaintiff,

**ORDER GRANTING PLAINTIFF’S
MOTION TO COMPEL RESPONSES TO
REQUESTS FOR ADMISSIONS**

v.

TOYAMA PARTNERS LLC, *et al.*,

(Doc. No. 321)

Defendants.

The district court has referred the parties’ discovery motions and all future discovery matters to this Court for determination. Doc. Nos. 202, 248.

Plaintiff asks this Court to compel Defendants to provide further responses to four requests for admission. *See* Doc. No. 321. Defendants argue the requests are improper for a number of reasons. Doc. No. 327. The Court disagrees and orders Defendants to supplement their responses to Requests for Admission (“RFAs”) Nos. 8 through 11. Defendants have a duty to undertake a good faith investigation of sources reasonably available to them when responding to discovery. Defendants thus can review correspondence between their counsel and Plaintiff’s counsel (which is not privileged, and which is under their control) which documents the conversations and events at issue in RFAs 8 and 9. Defendants can review similar correspondence, production cover letters, or production logs to respond to RFAs 10 and 11.

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If after their good faith investigation they remain unable to admit or deny the requests, they can respond that they lack information or belief.

IT IS SO ORDERED

Dated: October 27, 2011



NANDOR J. VADAS
United States Magistrate Judge