

United States District Court
For the Northern District of California

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NOT FOR CITATION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 DENYING PLAINTIFF'S
MOTION TO COMPEL AS MOOT**

v.

(Doc. No. 333)

TOYAMA PARTNERS LLC, *et al.*,

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 Dollar Tree moves this Court for an order compelling Defendants to provide information regarding the creation of the Second Amendment to the Sale Agreement. Doc. No. 333. On October 28, 2011, the Court ordered Defendants to supplement their privilege logs through April 22, 2011, and to "add a description sufficient to describe the subject matter of the communication" withheld on privilege grounds. Doc. No. 341 at 13. The Court previously had ordered Defendants to supplement their privilege logs by including the date the withheld documents were created, and the specific individuals who sent and received the documents. Doc. No. 273. Defendants' supplemental privilege logs therefore will include and identify documents and communications relating to the drafting of the Second Amendment. To the extent the documents are withheld as work product, the logs will show the identity of the author, the date created, etc. To the extent they

1 are withheld as attorney-client communications, the logs will show the identity of senders and
2 recipients, and the date the document was sent, etc. If Defendants' logs do not, Plaintiff may renew
3 its motion for a declaration as described in Doc. No. 333.

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Dated: November 3, 2011



NANDOR J. VADAS
United States Magistrate Judge