

1 certain issues addressed in Plaintiff's Discovery Letter [Docket No. 38] and Defendants' response
2 thereto [Docket No. 41], including the time frame for discovery of information related to the Lakeport
3 properties (2465 S. Main Street, Lakeport; 2345 S. Main Street, Lakeport), which were at issue in
4 Plaintiff's discovery requests referenced in its Discovery Letter [Docket No. 38]. This Order involves
5 the remaining issues resolved by the Court, as set forth in the transcript from the Discovery Hearing,
6 attached hereto as Exhibit "A".

7 This Court, [having heard the Parties' positions at the Discovery Hearing and] good cause having
8 been found, **HEREBY ORDERS** as follows:

9 1. Defendants shall produce documents responsive to the discovery requests at issue in the
10 Plaintiff's Discovery Letter [Docket No. 38] related to the Pittsburg, Walnut Creek and Oakland
11 properties going back to January 1, 2010.

12 2. **CHECK ONE:**

13 ***PLAINTIFF'S PROPOSED LANGUAGE:***

14 *XX The Court overrules Defendants' objections to the production of tax returns. Defendants*
15 *William Myer, Jr. and Wendy Oliver shall produce their tax returns in response to Nos. 18-22 of the*
16 *Second Set of Requests for Production of Documents referenced in Plaintiff's Discovery Letter [Docket*
17 *No. 38].*

18 **~~*DEFENDANT'S PROPOSED LANGUAGE:*~~**

19 ~~*— The Court overrules Defendants' objections to the production of tax returns in response*~~
20 ~~*to Requests Nos. 18-22 of the Second Set of Requests for Production of Documents, as set forth in*~~
21 ~~*Defendants' response to Plaintiff's Discovery Letter [Docket No. 41]. Defendants William Myer, Jr. and*~~
22 ~~*Wendy Oliver shall produce their tax returns to the extent responsive to Request Nos. 18-22 of the*~~
23 ~~*Second Set of Requests for Production of Documents referenced in Plaintiff's Discovery Letter [Docket*~~
24 ~~*No. 38] going back to January 1, 2010 for the Pittsburg, Walnut Creek and Oakland properties.*~~

25 3. For every single entity that is investigated and regarding which documents are produced,
26 if Plaintiff loses on that entity or that alleged business, Plaintiff shall bear the costs relating to
27 Defendants' efforts to locate and produce documents related to any such entity or alleged business,
28 including reasonable attorney's fees and clerical costs.

1 4. If Plaintiff requests documents responsive to the discovery requests at issue in Plaintiff's
2 Discovery Letter [Docket No. 38], that pre-date January 1, 2010, be produced by Defendants, Plaintiff
3 shall bear the costs associated with such a production, including Defendants' reasonable attorney's fees
4 and clerical costs.

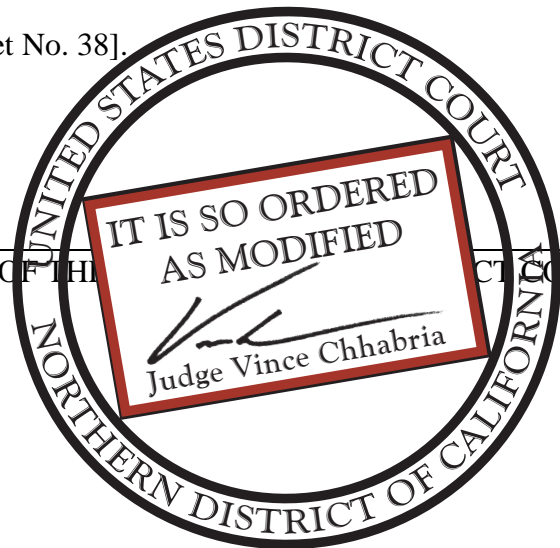
5 5. To the extent that Defendants request attorney's fees relating to any aspect of this Order,
6 Defendants must move the Court, such request must be reasonable, and any award is within the Court's
7 discretion.

8 6. The Court's Order does not modify the Parties' prior agreement related to the time frame
9 for relevant discovery related to the Lakeport properties, which were at issue in the Plaintiff's discovery
10 requests referenced in its Discovery Letter [Docket No. 38].

11 **IT IS SO ORDERED.**

12
13 Dated: April 29, 2014

14 _____
15 JUDGE OF THE



16 _____
17 CT COURT