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

VICTOR GUTTMANN,
Plaintiff,

No. C 15-00567 WHA

v.

NISSIN FOODS (USA) COMPANY INC.,
Defendant.

**ORDER RE LIMITED
DISCOVERY AND
SUPPLEMENTAL BRIEFING**

The Court is concerned that plaintiff lacks Article III standing. This is an issue best resolved on a sworn evidentiary record rather than on the pleadings. Therefore, defendant will be entitled to propound **FIVE** requests for production of documents narrowly-tailored to this issue, and plaintiff will sit for a **ONE-DAY DEPOSITION**, also tailored to this issue. This limited discovery shall be completed by **JULY 21, 2015**. Both sides will submit briefs explaining the results of this limited discovery by **JULY 27 AT NOON**.

At least **THREE DAYS** prior to his deposition, plaintiff shall sign a sworn declaration setting forth the approximate dates and quantities of the accused product that he purchased and consumed and the extent to which he was aware, at the time that he purchased defendants' products, that if a food product contained less than 0.5 grams of trans fat per serving, the trans fat content of that product, if expressed in the nutrition facts, must be expressed as zero pursuant to regulation.

Plaintiff shall also disclose the extent to which he has been medically diagnosed with any of the conditions described in his complaint that the complaint alleges are caused by the

United States District Court
For the Northern District of California

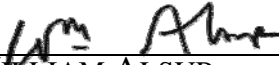
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consumption of artificial trans fats, such as high cholesterol. To protect plaintiff's privacy, those portions of plaintiff's deposition and the parties' supplemental submissions that discuss his medical history may be temporarily filed under seal.

In the meantime, the Court will continue to work on defendant's motion to dismiss.

IT IS SO ORDERED.

Dated: July 2, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE