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

BEAVER COUNTY EMPLOYERS
RETIREMENT FUND, ET AL.,

Case Nos. 16-mc-80062-JSC (WHA)
16-mc-80076-JSC (WHA)

Plaintiff,

v.

TILE SHOP HOLDINGS, INC., ET AL.,

**ORDER DENYING MOTIONS FOR
RELIEF FROM ORDERS OF
MAGISTRATE JUDGE**

Defendant.


The present discovery dispute arises out of a putative securities class action pending in the United States District Court for Minnesota. Plaintiffs initiated the lawsuit following the publication of a negative report about defendant Tile Shop Holdings, Inc. by Gotham City Research, LLC, an investor who shorted Tile Shop stock. Plaintiffs and defendants served third-party subpoenas on Gotham seeking documents and depositions. Gotham failed to comply with the subpoenas, and the parties filed separate actions to compel Gotham's compliance. *See Beaver County Employers Retirement Fund v. Tile Shop Holdings, Inc.*, No. 16-80062 (Plaintiffs' action); *Beaver County Employers Retirement Fund v. Tile Shop Holdings, Inc.*, No. 16-80076 (Defendants' action). Magistrate Judge Jacqueline Scott Corley granted plaintiffs' motion to compel production of Gotham's sources of information and denied defendants' motion to compel the subpoenas seeking documents and a deposition. Gotham subsequently filed a motion for reconsideration, which Judge Corley denied. Now, Gotham and defendants seek relief from Judge Corley's orders.

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The Court has reviewed the orders of Judge Corley and completely agrees with them. To the extent this motion is an “appeal,” the orders by Judge Corley are affirmed for the reasons stated by her. To the extent this motion is one for de novo review, this order adopts her findings and conclusions as its own. This will eliminate any issue with respect to the parties’ ability to pursue an appeal with our court of appeals.

IT IS SO ORDERED.

Dated: August 3, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE