

United States District Court
For the Northern District of California

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

STATE OF CALIFORNIA,

Plaintiff,

No. C 17-03786 WHA

v.

VALERO ENERGY CORPORATION,
VALERO ENERGY PARTNERS LP, and
PLAINS ALL AMERICAN PIPELINE, L.P.,

Defendants.

**ORDER DENYING TRO,
SETTING BRIEFING
SCHEDULE FOR
PRELIMINARY INJUNCTION
MOTION, AND GRANTING
LIMITED DISCOVERY**

On July 10, the State of California moved for a temporary restraining order to enjoin the proposed sale between defendants Valero Energy Corporation, Valero Energy Partners LP (“Valero”), and Plains All American Pipeline, L.P. (“Plains”). For the reasons stated on the record, the motion is **DENIED** without prejudice to the State of California moving for a preliminary injunction.

If it should choose to move for a preliminary injunction, the following schedule, fixed after consulting counsel, shall apply. The State of California shall file its motion by **JULY 24**. Defendants shall file their response by **JULY 31**. The State of California shall file any reply by **AUGUST 7**. A hearing on the motion is scheduled for **AUGUST 16 AT 8:00 A.M.** If a fact dispute arises necessitating an evidentiary hearing, that hearing will take place on **AUGUST 23 AT 8:00 A.M.** Both motions will be heard in Courtroom 8 on the 19th Floor of 450 Golden Gate Avenue, San Francisco.

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Furthermore, defendants observed that their transaction has been under the investigation of the California Attorney General for the past several months, during which time defendants have fully cooperated. Defendants therefore requested limited discovery to be able to meet the State of California's charges.

Defendants are hereby granted limited discovery as set forth below. Defendants may take two depositions not to exceed seven hours each. Defendants may also make limited document requests. Finally, subject to the protective order in this action, the State of California shall provide defendants with all third party documents that were generated in the course of its investigation of the transaction between Valero and Plains. In order to protect the privacy of third parties, the State of California shall send each third party notice that their documents are being produced to the defendants in this action by **JULY 14**. Third parties shall have one week from the receipt of notice to object.

IT IS SO ORDERED.

Dated: July 12, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE