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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES COMMODITY
FUTURES TRADING COMMISSION,

Plaintiff,

v.

PARON CAPITAL MANAGEMENT,
LLC. and JAMES D. CROMBIE,

Defendants.

Case No. 11-cv-04577 CW (NC)

**ORDER DENYING REQUESTS FOR
THIRD-PARTY DISCOVERY AND
DENYING REQUEST FOR LEAVE TO
FILE A MOTION FOR SANCTIONS
AGAINST PARON**

Re: Dkt. No. 151

The parties filed a joint discovery letter brief in which Crombie requests leave to seek discovery from nonparties Ann Popkin, NewEdge, and Bloomberg Finance. Dkt. No. 151. Crombie also requests leave to file a motion for sanctions against Paron for “discovery abuses.” The CFTC and Paron oppose the requests for nonparty discovery, arguing that the information requested by Crombie is irrelevant to the claims or defenses in this action and that the requests are improper under the Federal Rules of Civil Procedure. Paron also opposes Crombie’s request for leave to file a motion for sanctions against it, arguing that the motion is unwarranted because it has complied with all of its discovery obligations. Based on the letter brief, the Court orders the following:

(1) Crombie’s request for discovery from nonparties Ann Popkin and Bloomberg is DENIED, as Crombie has not established the relevance of the information he seeks from these

1 nonparties to the claims or defenses in this action;

2 (2) Crombie's request for an admission from nonparty NewEdge is DENIED, as requests
3 for admission may be directed only to parties in the action. *See* FED. R. CIV. P. 36(a)(1).

4 (3) Crombie's request for leave to file a motion for sanctions against Paron is DENIED for
5 lack of good cause shown.

6 IT IS SO ORDERED.

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8 Date: June 19, 2012



Nathanael M. Cousins
United States Magistrate Judge

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