

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN FRANCISCO DIVISION**

9
10 UNITED STATES COMMODITY FUTURES
TRADING COMMISSION,

11 Plaintiff,

12 v.

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

15 Defendants.

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

**ORDER QUASHING REQUESTS
FOR INTERROGATORIES AND
ADMISSIONS AND SETTING
LIMITATIONS ON DISCOVERY**

Re: Dkt. No. 52, 56

16
17 The Court conducted a discovery status conference on December 20, 2011. All parties
18 participated in the conference. Based on the representations the parties made at the conference,
19 the parties' joint case management statement, Dkt. No. 56, and Paron's statement regarding
20 Crombie's discovery requests, Dkt. No. 52, the Court orders the following:

21 1. Discovery from Non-Parties

22 Paron's request to quash every request for interrogatories and admissions that Crombie
23 served on any non-party at any time prior to the filing of this order is GRANTED, as the Federal
24 Rules of Civil Procedure do not allow requests for interrogatories and admissions to be served
25 on non-parties. *See* Fed. R. Civ. P. 33, 36.

26 Parties may seek discovery from any other *party* (U.S. CFTC; Paron Capital
27 Management, LLC; and James D. Crombie, only) as of the date this order is filed. No party may
28 request any discovery from a non-party without leave of court before January 31, 2012. By

1 January 24, 2012, the parties must meet and confer and submit to the Court a joint statement
2 identifying any discovery they may seek from non-parties, if any, and containing each party's
3 proposed limitations on discovery from non-parties. Upon review of the joint statement, the
4 Court will advise the parties regarding the need, if any, for more briefing, a hearing, or a
5 telephonic conference.

6 2. Limitations on Discovery

7 Each party may serve no more than twenty-five requests for interrogatories on any other
8 party. Each party may serve no more than twenty requests for admissions on any other party.
9 Each party may take no more than fifteen non-party, non-expert depositions.

10 These limitations may only be modified by court order.

11 3. Service of Discovery via Email

12 The parties have agreed to "serve contemporaneous copies" via email to each party of
13 any discovery requests served on any party or non-party and of discovery responses received
14 from any party or non-party. *See* Dkt. No. 56, Joint Case Management Statement at 6. The
15 parties are bound by this agreement as of the date this order is filed.

16 4. Notice

17 Crombie must provide a copy of this order to each person and entity upon which he
18 served requests for interrogatories and admissions in this case by December 30, 2011.

19 IT IS SO ORDERED.

20 DATED: December 20, 2011



21 NATHANAEL M. COUSINS
22 United States Magistrate Judge