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7 Attorneys for Plaintiff
TMX FUNDING INC., A Delaware Corporation

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 TMX FUNDING INC., A Delaware
12 Corporation,

13 Plaintiff,

14 v.

15 IMPERO TECHNOLOGIES, INC., A
California Corporation, CLARENCE
16 NICHOLAS STEIGELMAN, An
Individual, RONALD J. LESNIAK, An
17 Individual, DAVID LESNIAK, An
Individual, MITCHELL A. HEINLEIN,
18 An Individual, JOESEPH ZHANG,
a.k.a. XIANGCHOU ZHANG, An
19 Individual, MICHELLE DOVER, An
Individual,
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21 Defendants.
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Case No. C10-00202 JF

**[AMENDED] [~~PROPOSED~~]
ORDER AUTHORIZING EARLY
DISCOVERY PURSUANT TO
FRCP 26(d)**

Date:
Time:
Courtroom: 3

1 The Court, having considered the Ex Parte Application of Plaintiff TMX
2 Funding, Inc. ("TMX") in the above-captioned action for authorization to
3 commence early discovery, finds that good cause exists to grant the requested relief
4 pursuant to Federal Rules of Civil Procedure Rule 26(d). *Semitoool, Inc. v. Tokyo*
5 *Electron Am.*, 208 F.R.D. 273, 276 (N.D. Cal. 2002).

6 THEREFORE, IT IS HEREBY ORDERED THAT the Application is
7 GRANTED as follows:

8 The parties are authorized to commence party and third-party discovery
9 immediately as of the date of entry of this Order in accordance with the discovery
10 provisions of Federal Rules of Civil Procedure including but not limited to:

- 11 1. Depositions in accordance with FRCP 30 and 31;
- 12 2. Interrogatories to parties in accordance with FRCP 33;
- 13 3. Production of documents, electronically stored information, and
14 tangible things, or entering onto land, for inspection and other purposes, in
15 accordance with FRCP 34;
- 16 4. Requests for admission in accordance with FRCP 36;
- 17 5. Subpoena in accordance with FRCP 45;

18 And any other discovery method that may be authorized under the Federal
19 Rules of Civil Procedure, local rules, or otherwise.

20 IT IS SO ORDERED.

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22 DATED: 1/29/2010



23 HONORABLE JEREMY FOGEL
24 UNITED STATES DISTRICT JUDGE
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