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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 NEWMARK REALTY CAPITAL, INC.,

Case No.16-cv-01702-BLF (SVK)

8 Plaintiff,

9 v.

10 BGC PARTNERS, INC., et al.,

**ORDER ON CHRIS CARAS' REQUEST  
FOR RELIEF FROM ORDER  
REGARDING PRODUCTION OF CBRE  
EMAILS BECAUSE OF CHANGE OF  
CIRCUMSTANCES**

11 Defendants.

Re: Dkt. No. 396

12 Before the Court is non-party Chris Caras's request to be relieved from that portion of the  
13 Court's May 9, 2018 Order on Joint Statement re Subpoenas to Non-Parties Chris Caras and  
14 Paracore, LLC (ECF 350) that required Mr. Caras to produce his CBRE work emails regarding  
15 Defendants or the subject litigation dated from January 1, 2017. ECF 396. Mr. Caras asserts that  
16 CBRE has taken the position that his CBRE emails are the property of CBRE and that he does not  
17 have permission to produce them. *Id.* Defendants oppose Mr. Caras's request on various grounds.  
18 ECF 403. Defendants propose that as an alternative to requiring Mr. Caras or CBRE to produce  
19 the disputed emails, the Court could order Plaintiff<sup>1</sup> to produce communications with Mr. Caras  
20 regarding Defendants or this case between January 1, 2017 and the present. Defendants further  
21 request an order directing Plaintiff and Mr. Caras to provide certain assurances concerning the  
22 completeness of Plaintiff's production. *Id.*

23 After considering the parties' submissions, the Court ORDERS that as an alternative to  
24 requiring Mr. Caras to produce his CBRE emails or granting Defendants leave to serve a  
25 document subpoena on CBRE, by **June 8, 2018**, Plaintiff must produce all documents, including  
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28 <sup>1</sup> Defendants acknowledge that Plaintiff's counsel has already produced its communications with Mr. Caras. ECF 403 at 1 n.1.

1 emails from any account, reflecting communications between Mr. Caras and Plaintiff or its  
2 counsel regarding Defendants or the subject litigation from the period January 1, 2017 to present.  
3 In the particular circumstances applicable to these documents, the Court does not find the  
4 additional assurances requested by Defendants necessary; the Court relies on the compliance of  
5 Plaintiff and its counsel with their duties and obligations in connection with this litigation.

6 **SO ORDERED.**

7 Dated: June 4, 2018

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SUSAN VAN KEULEN  
United States Magistrate Judge

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