

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
RBS CITIZENS, NATIONAL)	
ASSOCIATION,)	
)	
<u>Plaintiff/Defendant-in-Counterclaim,</u>)	
)	
v.)	Civil Action No. 09-10116-LTS
)	
JEFFREY ARESTY and)	
ARESTY INTERNATIONAL LAW FIRM,)	
)	
<u>Defendants/Plaintiffs-in-Counterclaim.</u>)	
_____)	

ORDER ON PLAINTIFF’S MOTION TO COMPEL.

March 26, 2010

SOROKIN, M.J.

The Defendants/Plaintiffs-in-Counterclaim seek to compel further responses to a number of specific discovery requests. Their Motion (Docket # 20) is ALLOWED IN PART and DENIED IN PART, as follows:

The motion is DENIED with respect to Request No. 8 because the request is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

The motion is ALLOWED with respect to Request Nos. 9 and 16. RBS Citizens has not met its burden of establishing that the investigation was conducted in anticipation of litigation rather than in the regular course of its business, and it shall produce un-redacted copies of the eight disputed pages.

The motion is ALLOWED IN PART with respect to Request Nos. 14 and 15 in that RBS

Citizens shall produce documents in its possession, if any, reflecting the training Ms. Hickey received during her eight years as a Citizens employee. The Motion is otherwise DENIED as to these two requests.

The motion is DENIED with respect to Request No. 18.

SO ORDERED.

/s / Leo T. Sorokin
Leo T. Sorokin
UNITED STATES MAGISTRATE JUDGE