

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GUCCI AMERICA, INC., :

Plaintiff, :

-against- :

FRONTLINE PROCESSING CORPORATION, :

WOODFOREST NATIONAL BANK, DURANGO :  
 MERCHANT SERVICES LLC d/b/a NATIONAL :  
 BANKCARD SYSTEMS OF DURANGO, ABC :  
 COMPANIES and JOHN DOES, :

Defendants. :

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Case No. 09 CV 6925 (HB)

**DEFENDANT FRONTLINE PROCESSING CORP.’S MOTION FOR AN  
ORDER LIMITING GUCCI’S PENDING DISCOVERY and INFORMAL  
DISCOVERY CONFERENCE**

COMES NOW, Frontline Processing Corporation (“Frontline”), by and through its attorneys of record, and moves this Court pursuant to Rule 26(b)(2)(C)(iii), Fed. R. Civ. P., to limit the discovery requests served by Plaintiff Gucci America, Inc. (“Gucci”) on Frontline. The burden of Gucci’s requests on Frontline – a small Montana corporation – significantly outweighs the discovery’s likely benefit considering the needs of the case, the amount in controversy, the parties’ resources, the importance of the issues at stake in the action, and the importance of the discovery in resolving the issues. Alternatively, Frontline requests that the Court order Gucci to pay the costs of production should it decide not to limit the pending Requests for Production.

Furthermore, pursuant to L.R. 37.2, Frontline requests an informal conference with this Court to address the discovery dispute at issue in this motion.

In support of this motion, Frontline relies upon its memorandum of law filed concurrently herewith.

Dated this 1st day of February, 2010.

/s/ Herbert I. Pierce, III  
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