

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Wenger S.A.,

Plaintiff,

-against-

Galaxy Brands LLC et al.,

Defendants.

USDC SDNY
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DATE FILED: 11/17/2022

1:20-cv-01107 (LGS) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Before the Court is a Letter Motion by Plaintiff seeking to compel third-party Walmart Inc. to fully comply with Plaintiff's subpoena. (Letter Motion, ECF Nos. 149 & 150.) Following a telephone conference on November 15, 2022 with Plaintiff, Defendant Olivet International, Inc. and Walmart, Inc., it is hereby Ordered that Plaintiff's Letter Motion is GRANTED IN PART and DENIED IN PART as follows:

1. Plaintiff and Walmart shall meet and confer regarding appropriate search terms, custodians and date ranges to be used for Walmart's search for electronically stored information responsive to Plaintiff's subpoena.
2. No later than November 22, 2022, Plaintiff and Walmart shall file a joint letter as to the status of their negotiations and shall set forth any remaining disputes regarding the search terms, custodians and/or date ranges.
3. The Court, in its discretion, declines to impose sanctions against Walmart at this time.

The parties shall meet and confer in good faith to avoid any future disputes.

SO ORDERED.

Dated: New York, New York
 November 17, 2022

Stewart D. Aaron

STEWART D. AARON
United States Magistrate Judge