

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re Application of Sukhbaatar Batbold for an : 21-MC-218 (RA) (OTW)
Order Pursuant to 28 U.S.C. § 1782 to Conduct :
Discovery for Use in Foreign Proceedings : **ORDER**
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ONA T. WANG, United States Magistrate Judge:

The Court has reviewed K2’s request to file a Motion to Quash or for a Protective Order (ECF 59), Batbold’s response (ECF 62), K2’s request for a pre-motion conference concerning recent developments related to the application (ECF 78), and the parties’ joint status letter (ECF 81).

By April 14, 2022, the parties are each directed to file a letter detailing whether:

- The discovery currently sought is “for use in” any of the remaining global litigations. *See Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241, 264 (2004);
- Batbold seeks different or narrower discovery from K2 in light of the dismissals;
- The extent to which K2’s privilege argument in its request to file a Motion to Quash (ECF 59) is impacted by the revelation that K&S is not and was never authorized to represent OPG in litigation against Batbold; and

- Batbold’s anticipated future litigations satisfy the enumerated *Intel* factors in *this* § 1782 Petition.

SO ORDERED.

Dated: April 8, 2022
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge