

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PAUL D. CEGLIA,

Plaintiff,

ORDER

v.

10-CV-569A(F)

MARK ELLIOT ZUCKERBERG,
FACEBOOK, INC.,

Defendants.

By papers filed October 14, 2011 (Doc. Nos. 154-158), Defendants move to compel Plaintiff to comply fully with this court's prior orders, in particular the Order of August 18, 2011 (Doc. No. 117), directing Plaintiff to identify and produce to Defendants electronic media, access to certain of Plaintiff's email accounts, granting Defendants permission to issue, if necessary, subpoenas *duces tecum* to Plaintiff's experts, a supplemental declaration regarding items Plaintiff was directed to produce or explain in a supplemental declaration the loss of electronic files in their native format, overruling Plaintiff's objection to production of certain documents as asserted in Plaintiff's Privilege Log based on attorney-client privilege, an order directing Plaintiff request Plaintiff's webmail providers to release to Defendant's forensic expert Plaintiff's account access logs, usage logs, registration records, and preserved copies of such accounts, or in lieu of such requested production, to grant Defendants permission to issue subpoenas compelling their production, as well as sanctions, including Defendants' reasonable attorneys fees and other relief to which Defendants may be entitled pursuant to Fed.R.Civ.P. 37(a)(5) or this court's inherent power ("Defendants' motion").

Plaintiff's response shall be filed not later than **October 24, 2011**; Defendants'

reply shall be filed not later than **October 28, 2011**. A hearing and oral argument on Defendants' motion is scheduled for **November 2, 2011 at 2:00 p.m.**

SO ORDERED.

/s/ Leslie G. Foschio

LESLIE G. FOSCHIO
UNITED STATES MAGISTRATE JUDGE

Dated: October 17, 2011
Buffalo, New York