

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RENEE FASSBENDER AMOCHAEV,
ET AL.,

No. C-05-01298 PJH (JCS)

Plaintiff(s),

v.

CITIGROUP GLOBAL MARKETS, INC.,
d/b/a SMITH BARNEY,

Defendant(s).

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS'
MOTION TO COMPEL PRODUCTION
OF RELEVANT *MARTENS* DOCUMENTS
AND DEFENDANT'S CROSS-MOTION
FOR A PROTECTIVE ORDER
[Docket Nos. 73 and 81]**

Plaintiffs in this matter filed a Motion to Compel Production of Relevant *Martens* Documents [Docket No. 73] and Defendant filed a Cross-Motion for a Protective Order [Docket No. 81] (the "Motions"). The Motions came on after notice for hearing on October 20, 2006. Justin M. Swartz, Lisa M. Bornstein, Kelly M. Dermody, and Heather H. Wong appeared on behalf of Plaintiffs; Liza M. Velazquez appeared on behalf of Defendant.

Good cause appearing, and for the reasons stated on the record at the hearing, both Motions are GRANTED IN PART and DENIED IN PART. Defendant shall produce the documents and other materials specified in the paragraphs that follow. Defendant may, at its option, designate these materials as "Restricted" under the Protective Order in this case. If these materials are also subject to a more stringent confidentiality order than those that apply under the Protective Order, then those more restrictive confidentiality provisions shall govern, unless otherwise agreed to by the parties or ordered by the Court. Defendant shall produce the following materials:

1. The four class-wide fact witness deposition transcripts and exhibits from the *Martens* action.

7. All interim claims from the *Martens* action with respect to the FA's only.

2. Third-stage hearing transcripts and exhibits.

IT IS SO ORDERED.

Dated: October 24, 2006


JOSEPH C. SPERO
United States Magistrate Judge