

3:10CV1492(AVC). Document No. 50. 05/16/13. The plaintiff's motion to compel is granted in part and denied in part. Federal Rule of Civil Procedure 26(b)(1) provides that the "[p]arties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense Relevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence." Fed.R.Civ.P. 26(b)(1).

With respect to the production contained in request number one, the information is contained in the defendant's general ledger and, therefore, has been produced. With respect to the production contained in request number six, the defendant has agreed to produce the consultant agreement and, therefore, the motion is denied as moot. With respect to the remaining production, the requests are granted. The requests "appear[] reasonably calculated to lead to the discovery of admissible evidence." Fed.R.Civ.P. 26(b)(1). Although some of the information contained in these requests may have been available to the plaintiff in February of 2012, it was not until the deposition of Ethan Charas that the plaintiff became aware of the significance of this information.

So ordered.

/s/
Alfred V. Covello
United States District Judge