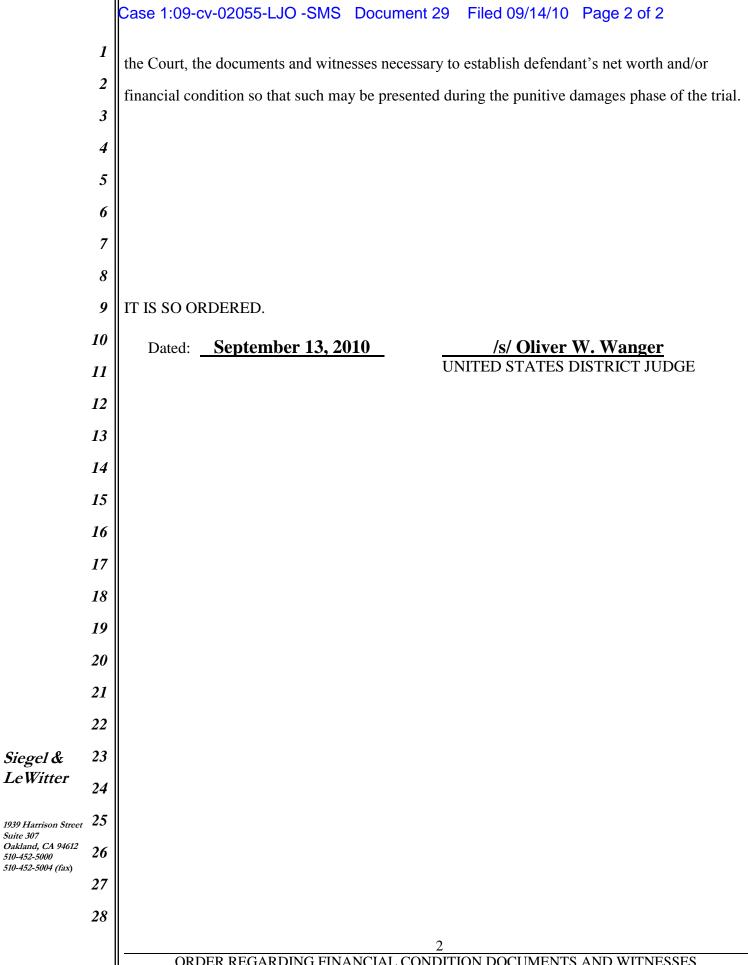
		Case 1:09-cv-02055-LJO -SMS Docume	nt 29 Filed 09/14/10 Page 1 of 2
	<i>3 4</i>	Jody I. LeWitter, Bar No. 124794 Heather C. Conger Bar No. 244958 Benjamin J. Siegel, Bar No. 56260 SIEGEL & LEWITTER 1939 Harrison Street, Suite 307 Oakland, California 94612 (510) 452-5000 (510) 452-5004 (fax) jlewitter@sl-employmentlaw.com hconger@sl-employmentlaw.com bsiegel@sl-employmentlaw.com	
	7	Attorneys for Plaintiff Randolph Evans	
	8	UNITED STATES DISTRICT COURT	
	9	EASTERN DISTRICT OF CALIFORNIA	
10			
	11	RANDOLPH EVANS,) Case No. 1:09-CV-2055-OWW-SMS
	12	Plaintiff,	ORDER REGARDING FINANCIAL OCONDITION DOCUMENTS AND
	13	v.) WITNESSES
	14	v.)
	15	SEARS LOGISTICS SERVICES, INC.; SEARS, ROEBUCK & CO.; SEARS)
	16	HOLDINGS CORP.)
	17	Defendants.)
	18		<i>)</i>
	19	This matter having come before the Court upon the stipulation of the parties,	
	20	IT IS HEREBY ORDERED that	
	21	1. Defendants Sears Logistics Services, Inc., Sears, Roebuck & Co., and Sears	
	22	Holdings Corp. shall not be required, through discovery or otherwise, to produce any documents	
Siegel & LeWitter	23	or information about their financial condition unless and until there has been a finding by the fact	
	24	finder in this case of malice, oppression or fraud in the first phase of trial sufficient to support a	
1939 Harrison Street Suite 307 Oakland, CA 94612 510-452-5000 510-452-5004 (fax)	25	claim for punitive damages;	
	26	2. Upon a finding by the trier of fact of fraud, malice or oppression sufficient to	
	27	support a claim for punitive damages against any defendant, the defendant against whom such a	
	28	finding is made will make available to plaintiff, within the time frame and to the extent ordered by	
		ORDER REGARDING FINANCIAL CONDITION DOCUMENTS AND WITNESSES	
		II OKDEK KEGAKDING FINANCIAL CO	JINDITION DOCUMENTS AND WITNESSES

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Siegel &

LeWitter

510-452-5004 (fax)

Suite 307