

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

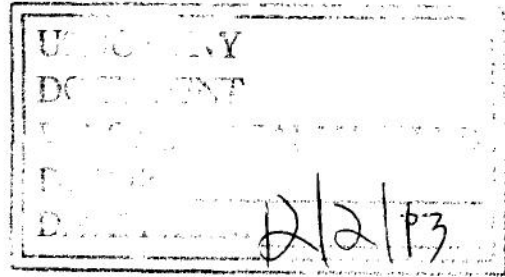
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ADREA, LLC, :

Plaintiff, :

-v- :

BARNES & NOBLE, INC., :
BARNESANDNOBLE.COM LLC, and NOOK :
MEDIA LLC, :

Defendants. :
----- X



13 Civ. 4137 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

In a telephonic conference with the Court on November 18, 2013, the parties in this case sought rulings on three disputes that had arisen in discovery, each of which concerned a request for production by the defendants. First, defendants sought claim charts that plaintiff had prepared to evaluate potential patent infringement by other companies. Second, defendants sought due-diligence questionnaires that had been prepared by each of three companies in contemplation of the formation of plaintiff. Third, defendants sought certain tax returns filed by plaintiff.

At the direction of the Court, plaintiff submitted each of the three sets of disputed documents for in camera review. Having thoroughly considered these requests, the objections thereto, and the documents at issue, the Court hereby denies the applications of defendants. First, the claim charts are properly protected by attorney-client privilege and the work-product doctrine, and they need not be produced. Second, the due-diligence questionnaires are properly

protected by attorney-client privilege and need not be produced.

Third, the tax returns contain information that is available from less intrusive sources available to and already produced to defendants, and accordingly plaintiff need not produce them.

SO ORDERED.



JED S. RAKOFF U.S.D.J.

Dated: New York, New York
November 25, 2013