

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: OUT OF DISTRICT SUBPOENA,

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Hon. Richard Alan Enslin

Case No. 1:08-mc-00003

ORDER

This matter is before the Court on Remnant Publications, Inc.'s Motion to Amend Order (Dkt. 25). An Order was entered by this Court on June 20, 2008 to compel the production of documents from Respondent Remnant Publications, Inc. to Petitioners (Defendants in Case No. 07-40098-FDA in the United States District Court for the Central District of Massachusetts) without ordering an *in camera* review by the Massachusetts court. As noted during the June 16, 2008 hearing, Respondent Remnant Publications, Inc. requested that this Court order that any documents submitted in response to Petitioners' out-of-district subpoena be reviewed *in camera* by the Massachusetts court. On reflection, the undersigned declined to do so for two reasons. First, the production was ordered to be subject to an extant Protective Order in the Massachusetts case. Second, the Court declines to order another judge to review documents. The undersigned remains persuaded by those two reasons. Thus, Remnant Publications, Inc.'s Motion to Amend Order (Dkt. 25) is **denied**. Respondents may, however, refrain from producing the documents until 14 days after a decision on the Plaintiffs' Motion for Protective Order Limiting Scope and Methods of Discovery in Case No. 07-40098-FDA in the United States District Court for the Central District of Massachusetts.

IT IS SO ORDERED.

Date: July 28, 2008

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge