

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 9/16/11

----- x

THE EXPORT-IMPORT BANK OF THE :
REPUBLIC OF CHINA, :

Plaintiff, :

-against- :

GRENADA, :

Defendant. :

----- x

06 Civ. 2469 (HB) (AJP)

ORDER

ANDREW J. PECK, United States Magistrate Judge:

The Court has reviewed the parties' opposing letters of September 15, 2011 and rules as follows:

1. The \$10,000 sanction is to be paid by September 26, 2011. If not, the Court will hold a hearing as to whether Grenada should be held in contempt.

2. Grenada is to complete its document production (including emails, as ordered by the Court at the August 10, 2011 conference), and produce an affidavit of complete compliance (as described at the August 10, 2011 conference), by October 17, 2011. Failure to do so will result in sanctions pursuant to Rule 37 and/or the Court's inherent powers, against Grenada and/or its counsel. The Court further notes that the emails themselves are to be produced (preferably in electronic format), not summaries of the emails. To the extent Grenada is not familiar with U.S. discovery procedures, it is the obligation of its counsel to fully explain it to Grenada.

3. The Court denies plaintiff's request for further attorneys' fees at this time, without prejudice to renewal of the request if Grenada does not comply with this Order.

4. The Court also will consider whether a further deposition is required, after the completion of document/ESI production.

5. The parties shall provide a status report, jointly if possible, by October 21, 2011.

SO ORDERED.

Dated: New York, New York
September 16, 2011



Andrew J. Peck
United States Magistrate Judge

Copies **by Fax & ECF** to: Paul E. Summit, Esq.
Brian E. Maas, Esq.
Judge Harold Baer, Jr.