UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR TESTING AND MATERIALS d/b/a ASTM INTERNATIONAL, et al.,

Plaintiffs,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant.

PUBLIC.RESOURCE.ORG, INC.,

Counterclaimant,

v.

AMERICAN SOCIETY FOR TESTING AND MATERIALS d/b/a ASTM INTERNATIONAL, et al.,

Counterdefendants.

Civil Action No. 13-01215 TSC/DAR

ORDER

Upon consideration of the representations and agreements of the parties in their Status

Report and Proposed Order on Defendant's Motion to Compel Discovery (Document No. 54), it

is, this 24th day of November, hereby **ORDERED** that Defendant's Motion to Compel Discovery

(Document No. 41) is **DENIED AS MOOT**

(1) as to all Plaintiffs with respect to the following issues:

ASTM, et al. v. Public.Resource.Org, Inc. Public.Resource.Org,Inc. v. ASTM, et al.

- Documents and communications relating to financial contributions to Plaintiffs-Counterdefendants (Request For Production of Documents 4, 12, 13, 14, 15) (see Defendant's Motion to Compel Discovery at 2, third bullet).
- Documents concerning the laws that incorporate Plaintiffs-Counterdefendants' standards (Request For Production of Documents 5) (*see* Defendant's Motion to Compel Discovery at 2, fifth bullet).
- The sufficiency of NFPA's Reports on Proposals and Reports on Comments (*see* Defendant's Motion to Compel Discovery at 12-13).
- (2) as to certain Plaintiffs with respect to the following issues:
- Executed license agreements (Request For Production of Documents 18) (see Defendant's Motion to Compel Discovery at 2, first bullet) only as to Plaintiffs ASHRAE and NFPA.
- Executed assignment of rights agreements (Request For Production of Documents 2, 6) (*see* Defendant's Motion to Compel Discovery at 2, second bullet) only as to Plaintiff ASTM.
- Documents and communications concerning the litigation or Plaintiffs-Counterdefendants' decision to take legal action against Public.Resource.Org, Inc. or its principal (Request For Production of Documents 8, 9, 16, 17) (see Defendant's Motion to Compel Discovery at 2, fourth bullet) only as to Plaintiffs ASTM and ASHRAE.

It is **FURTHER ORDERED** that counsel for the parties shall continue to meet and confer regarding the remaining issues in an effort to resolve those issues in advance of the December 1, 2014 status hearing.

/s/
DEBORAH A. ROBINSON
United States Magistrate Judge

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