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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

TARLA MAKAEFF, on Behalf of
Herself and All Others Similarly
Situated,

Plaintiffs,

vs.

TRUMP UNIVERSITY, LLC, (aka
Trump Entrepreneur Initiative) a New
York Limited Liability Company,
DONALD J. TRUMP, and DOES 1
through 50, inclusive,

Defendants.

Case No. 10cv0940 GPC (WVG)

**ORDER GRANTING
PLAINTIFF/COUNTER
DEFENDANT TARLA
MAKAEFF’S MOTION TO
QUASH AND DENYING
DEFENDANT/
COUNTERCLAIMANT TRUMP
UNIVERSITY, LLC’S MOTION
TO COMPEL**

TRUMP UNIVERSITY, LLC,

Counterclaimant,

vs.

TARLA MAKAEFF, and DOES 1
through 10, inclusive,

Counter Defendant.

On November 18, 2014, the Court ordered supplemental briefing in support of Plaintiff/Counter Defendant Tarla Makaeff’s (“Makaeff”) bill of fees and costs related to California’s anti-SLAPP statute provision for attorney’s fees. (Dkt. No. 358.) On November 21, 2014, Defendant/Counterclaimant Trump University, LLC (“Trump

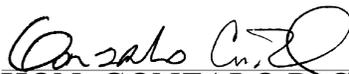
1 University”) sent subpoenas to Plaintiff’s counsel, as well as requests for production
2 of documents on Makaeff, seeking time records. On December 2, 2014, Plaintiff’s
3 counsel sent written responses objecting to the subpoenas. On December 9, 2014,
4 counsel for the parties met and conferred telephonically, but were unable to resolve
5 their dispute. Later that same day, counsel for the parties called Magistrate Judge
6 Gallo’s Chambers to advise of the dispute. On December 10, 2014, the Court
7 scheduled a telephone conference to address the parties’ discovery dispute. The parties
8 each submitted letter briefs to the Court. On December 11, 2014, a telephone
9 conference hearing was held with all parties appearing telephonically by counsel.

10 In essence, Makaeff requests that the Court quash the subpoenas pursuant to Fed.
11 R. Civ. P. 45(d)(3). Trump University requests that the Court compel that the
12 documents be produced immediately because they were due on December 8, 2014.

13 Having considered the moving papers, arguments of counsel and the Court’s
14 previous orders, the Court finds that the information sought would be an “undue
15 burden” under Fed. R. Civ. P. 45(d)(3)(A)(iv), and is not discoverable under Fed. R.
16 Civ. P. 26(b)(1), because it is not relevant to any pending claim or defense and is not
17 necessary at this point for Trump University challenging the bill of fees and costs.
18 Accordingly, the Court GRANTS Makaeff’s motion to quash, and DENIES Trump
19 University’s motion to compel.

20 **IT IS SO ORDERED.**

21
22 DATED: December 16, 2014

23 
24 HON. GONZALO P. CURIEL
25 United States District Judge
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