

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

THERMO FISHER SCIENTIFIC INC.,

Plaintiff,

v.

JOHN STARK,

Defendant.

Case No.: 2015-0587-CK

Honorable Alexander C. Lipsey

**ORDER GRANTING PLAINTIFF'S
MOTION TO COMPEL NON-
PARTY FLUIDIGM TO PRODUCE
ALL RESPONSIVE DOCUMENTS
CALLED FOR BY THERMO
FISHER'S SUBPOENA FOR
PRODUCTION OF BUSINESS
RECORDS**

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At a session of said Court, held in the City of
Kalamazoo, County of Kalamazoo, State of Michigan
on the 6th day of October, 2016

PRESENT: HON. ALEXANDER C. LIPSEY
Circuit Court Judge

THIS MATTER is before the Court on *Plaintiff's Motion to Compel Non-Party Fluidigm to Produce All Responsive Documents Called for by Thermo Fisher's Subpoena for Production of Business Records*. Counsel for parties appeared before the Court on September 12, 2016 to argue Plaintiff's motion.

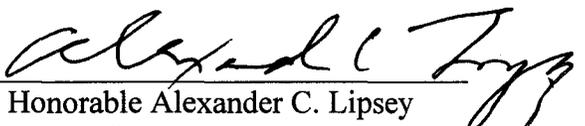
Plaintiff's motion argues that non-party Fluidigm is withholding responsive documentation due to meritless arguments about the existing stipulated protective order and whether or not this court has jurisdiction over Fluidigm. Fluidigm, having concerns over confidentiality, is seeking the entry of another protective order in a California Court that would divest this Court of jurisdiction over disputes about the sought after discovery from Fluidigm.

This Court, having heard the oral testimony of the Parties and having considered the parties' respective briefs, finds that Fluidigm's arguments are without merit and jurisdiction is proper. The previously issued protective order governs third party discovery in this case and is well capable of protecting all Parties' interests.

Accordingly, Plaintiff's Motion to Compel Non-Party Fluidigm to Produce All Responsive Documents Called for by Thermo Fisher's Subpoena for Production of Business Records is GRANTED.

IT IS SO ORDERED.

Dated: October 6, 2016


Honorable Alexander C. Lipsey
Circuit Court Judge