

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNIVERSITY OF MASSACHUSETTS )  
and CARMEL LABORATORIES LLC, )

Plaintiffs, )

v. )

L'ORÉAL USA, INC., )

Defendant. )

C.A. No. 17-868-CFC-SRF

**PUBLIC REDACTED VERSION**

**CERTIFICATION TO DEFENDANT'S OBJECTIONS TO  
MAGISTRATE JUDGE'S APRIL 24, 2020 ORDER**

Pursuant to the Court's October 9, 2013 Standing Order for Objections Filed Under Fed. R. Civ. P. 72, Defendant L'Oréal USA, Inc. ("L'Oréal USA") hereby certifies that the objections filed on May 8, 2020, to portions of the Magistrate Judge's April 24, 2020 oral ruling (the "Order") do not raise any new legal or factual arguments that were not previously raised before the Magistrate Judge through briefing leading to or oral argument during the March 26, 2020 and April 24, 2020 telephonic discovery dispute conferences, with the following exceptions:

1. L'Oréal USA provides details of its search and production of documents since the Order was issued and provides limited details of what the produced documents have revealed, [REDACTED]

[REDACTED] As counsel for

L'Oréal USA had not received and reviewed any potentially responsive documents at the time of Order, it could not share the aforementioned factual details during the discovery conference on April 24, 2020.

2. L'Oréal USA points out that Plaintiffs' Request for Production No. 65 does not seek internal communications relating to FTC investigations. That Plaintiffs' brief and proposed order were seeking documents outside of their request was not apparent until after the Magistrate Judge's Order was issued, and Plaintiffs never pointed that out to the Court.

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