

**SUPERIOR COURT OF CALIFORNIA,**

COUNTY OF SAN DIEGO

HALL OF JUSTICE

TENTATIVE RULINGS - January 09, 2018

EVENT DATE: 01/18/2018

EVENT TIME: 04:00:00 PM

DEPT.: C-73

JUDICIAL OFFICER: Joel R. Wohlfeil

CASE NO.: 37-2016-00014339-CU-DF-CTL

CASE TITLE: NATIONAL STRENGTH AND CONDITIONING ASSOCIATION VS. GLASSMAN  
[IMAGED]

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Defamation

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT/DATE FILED: Objections, 01/08/2018

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The objections (ROA # 108) of Plaintiff NATIONAL STRENGTH AND CONDITIONING ASSOCIATION ("Plaintiff" or "NSCA") to the Discovery Referee's Order No. 9 Supplemental Ruling Re: Discoverability of Identity of Peer Reviewers (ROA # 102), pursuant to CCP 643(c), are OVERRULED IN PART and will be HEARD IN PART.

The Court has read and considered Plaintiff's Complaint for 1) TRADE LIBEL; 2) DEFAMATION; and 3) UNFAIR BUSINESS PRACTICES (ROA # 1), the Answer (ROA # 7) of Defendants GREG GLASSMAN, RUSSELL BERGER, RUSS GREENE, and CROSSFIT, INC. ("Defendants") with twenty six (26) affirmative defenses, ROA # 102, Plaintiff's objections, and Defendants' opposition (ROA # 110).

Plaintiff's objections are OVERRULED. The Court is persuaded by the reasonableness of Referee McCurine's analysis as well as Defendant's opposing arguments.

The Court will HEAR why Plaintiff should not be directed to comply with the Referee's order by January 26, 2018, as proposed by Defendant.