

# **RJN EXHIBIT 1**

EFS-020

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 296501 NAME: Wynter L. Deagle FIRM NAME: TROUTMAN SANDERS LLP STREET ADDRESS: 11682 El Camino Real, Suite 400 CITY: San Diego STATE: CA ZIP CODE: 92130-2092 TELEPHONE NO.: 858-509-6000 FAX NO.: 858-509-6040 E-MAIL ADDRESS: wynter.deagle@troutman.com ATTORNEY FOR (name): Defendants		<b>FOR COURT USE ONLY</b>  <b>ELECTRONICALLY FILED</b> Superior Court of California, County of San Diego  <b>02/26/2018 at 01:32:00 PM</b> Clerk of the Superior Court By Doreen Johnson, Deputy Clerk
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b> STREET ADDRESS: 330 West Broadway MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: Hall of Justice		
PLAINTIFF/PETITIONER: NATIONAL STRENGTH AND CONDITIONING DEFENDANT/RESPONDENT: GREG GLASSMAN, et al. OTHER:		CASE NUMBER: 37-2016-00014339-CU-DF-CTL
<b>PROPOSED ORDER (COVER SHEET)</b>		JUDICIAL OFFICER: Hon. Joel R. Wohlfeil  DEPT: C-73

**NOTE:** This cover sheet is to be used to electronically file and submit to the court a proposed order. The proposed order sent electronically to the court must be in PDF format and must be attached to this cover sheet. In addition, a version of the proposed order in an editable word-processing format must be sent to the court at the same time as this cover sheet and the attached proposed order in PDF format are filed.

1. Name of the party submitting the proposed order:  
Defendants GREG GLASSMAN; RUSSELL BERGER; RUSS GREENE; and CROSSFIT, INC.
2. Title of the proposed order:  
Order Overruling NSCA's Objection to Discovery Referee's Order Nos. 6 and 9 Rulings Re: Discoverability of Identity of Peer Reviewers Pursuant to C.C.P. § 643(c)
3. The proceeding to which the proposed order relates is:
  - a. Description of proceeding: Hearing
  - b. Date and time: January 18, 2018 at 4:00 p.m.
  - c. Place: Dept-73
4. The proposed order was served on the other parties in the case.

02/28/2018

Wynter L. Deagle

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY)

Page 1 of 2

CASE NAME: NSCA v. Glassman	CASE NUMBER: 37-2016-00014339-CU-DF-CTL
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**PROOF OF ELECTRONIC SERVICE  
PROPOSED ORDER**

1. I am at least 18 years old and **not a party to this action.**

a. My residence or business address is (*specify*):  
11682 El Camino Real, Suite 400, San Diego, CA 92130-2092

b. My electronic service address is (*specify*):

jennifer.wolber@troutman.com

2. I electronically served the *Proposed Order (Cover Sheet)* with a proposed order in PDF format attached, and a proposed order in an editable word-processing format as follows:

a. On (*name of person served*) (*If the person served is an attorney, the party or parties represented should also be stated.*):

\*\*\*N/A. Court requested paper copy only in department box.\*\*\*

b. To (*electronic service address of person served*):

c. On (*date*):

☒ Electronic service of the *Proposed Order (Cover Sheet)* with the attached proposed order in PDF format and service of the proposed order in an editable word-processing format on additional persons are described in an attachment.

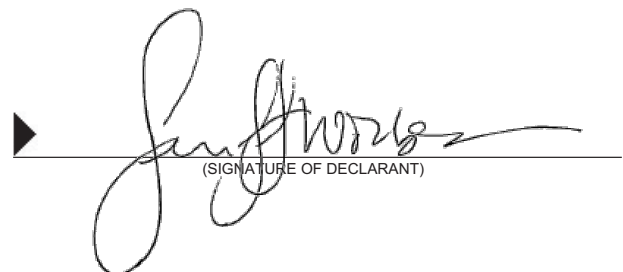
See Service List attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 01/29/2018

Jennifer Wolber

(TYPE OR PRINT NAME OF DECLARANT)

  
 (SIGNATURE OF DECLARANT)

**SERVICE LIST**

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SAN DIEGO, CA 92130-2092

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

NATIONAL STRENGTH AND  
CONDITIONING ASSOCIATION,

Plaintiff,

v.

GREG GLASSMAN; RUSSELL  
BERGER; RUSS GREENE; and  
CROSSFIT, INC., a Delaware Corporation;  
and DOES 1 through 20, inclusive,

Defendants.

Case No. 37-2016-00014339-CU-DF-CTL

**ORDER OVERRULING NSCA'S  
OBJECTION TO DISCOVERY REFEREE'S  
ORDER NOS. 6 AND 9 RULINGS RE:  
DISCOVERABILITY OF IDENTITY OF  
PEER REVIEWERS PURSUANT TO C.C.P.  
§ 643(c)**

**[IMAGED FILE]**

Date: January 18, 2018  
Time: 4:00 p.m.  
Dept: C-73  
Judge: Hon. Joel R. Wohlfeil  
Action Filed: 05/02/2016  
Trial Date: 06/01/2018

Having considered Plaintiff National Strength and Conditioning Association's ("NSCA") Objection to Discovery Referee's Order No. 6 Ruling Re: Discoverability of Identity of Peer Reviewers Pursuant to C.C.P. § 643(c) and the NSCA's Response to Discovery Referee's Order No. 9 Supplemental Ruling Re: Discoverability of Identity of Peer Reviewers Pursuant to C.C.P. § 643(c) ("Motion"), and all arguments and evidence presented in opposition and reply, and the further arguments of counsel at the hearing on this matter on January 18, 2018 at 4:00 p.m., the Court hereby OVERRULES the Motion. Plaintiff is hereby ordered to comply

1 with Discovery Referee Order No. 6 no later than January 26, 2018, by providing Defendants  
2 with the names of the peer-reviewers, which shall be designated CONFIDENTIAL pursuant to  
3 the parties' stipulated Protective Order.

4 IT IS SO ORDERED.

5 Dated: 2/26/18  
6 ~~January~~ \_\_\_\_, 2018



Hon. Joel R. Wohlfeil  
Judge of the Superior Court

TROUTMAN SANDERS LLP  
11682 EL CAMINO REAL  
SUITE 400  
SAN DIEGO, CA 92130-2092

**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

I am employed in the County of San Diego, State of CA. I am over the age of 18 and not a party to the within action; my business address is 11682 El Camino Real, Suite 400, San Diego, CA 92130-2092.

On January 23, 2018, I served the following document(s) described as:

**[proposed] ORDER OVERRULING NSCA'S OBJECTION TO DISCOVERY REFEREE'S ORDER NOS. 6 AND 9 RULINGS RE: DISCOVERABILITY OF IDENTITY OF PEER REVIEWERS PURSUANT TO C.C.P. § 643(c)**



**BY ELECTRONIC MAIL** (CRC 2.251): Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses, as last given or submitted on any document which he or she has filed in the case, listed on the attached service list.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 23, 2018, at San Diego, CA.

  
 Jennifer Wolber