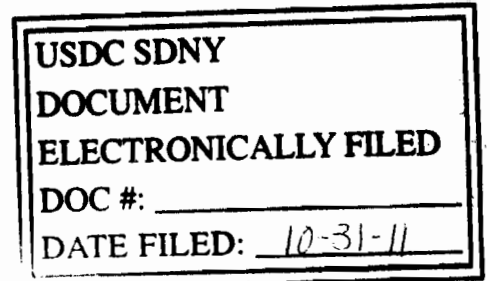


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
ASHOT EGLAZARYAN, :
 :
 Plaintiff, :
 :
 -v.- :
 :
 PETER ZALMAYEV, :
 :
 Defendant. :
-----X

ORDER

11 Civ. 2670 (PKC) (GWG)

GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

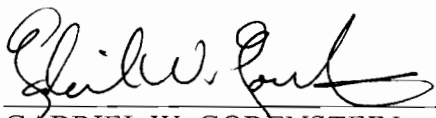
The Court is in receipt of a letter dated October 28, 2011, from nonparties Public Strategies Inc. and Mr. Gregg Hitt.

Notably, the October 28 letter provides no authority for the unstated proposition underlying the letter's request for a pre-motion conference: that a motion to quash the subpoenas can appropriately be filed in this Court. The text of Rule 45 does not permit such a motion. See Fed. R. Civ. P. 45(c)(3) (referring to the power of an "issuing court" to quash or modify a subpoena).

Some case law would give the District of Columbia district court the power to transfer the motion to compel to this Court, see, e.g., Stanziale v. Pepper Hamilton LLP, 2007 WL 473703 (S.D.N.Y. Feb. 9, 2007), and it would certainly be understandable and appropriate for the District of Columbia to make such a transfer in light of the relevance objection, which can most easily be adjudicated by this Court. But in the absence of a transfer, the third parties have not given this Court any reason to believe it has the power to rule on their objections to the subpoenas.

SO ORDERED.

Dated: October 28, 2011
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge