

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NETWORK APPLIANCE INC,
Plaintiff,

No. C-07-06053 EDL
No. C-07-5488 EDL

v.

**ORDER REGARDING DISCOVERY
LETTERS**

SUN MICROSYSTEMS INC,
Defendant.

On March 6, 2009, Sun Microsystems, Inc. filed a letter seeking the Court's involvement in setting additional discovery deadlines in light of the upcoming April 24, 2009 fact discovery deadline. On March 9, 2009, Network Appliance, Inc. filed a response to Sun's letter, further detailing a substantive discovery dispute between the parties. It is hereby ordered that both unilateral letters are STRICKEN. The parties are ordered to further meet and confer regarding the issues detailed in both letters and attempt to resolve these issues without Court involvement. After the parties meet and confer, they may file a *joint* letter not to exceed five pages no later than March 13, 2009 briefing any unresolved discovery *scheduling* issues. To the extent the parties have any remaining substantive discovery issues, they must address these in a properly noticed motion and request shortened time if appropriate. The Court makes no judgment as to whether any documents have been improperly withheld. However, if the Court ultimately finds that certain documents were improperly withheld, this may subject certain witnesses to redeposition.

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IT IS SO ORDERED.

Dated: March 9, 2009

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge