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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PLANTRONICS, INC., )  
 )  
 Plaintiff(s), )  
 )  
 v. )  
 )  
 ALIPH, INC., et al., )  
 )  
 Defendant(s). )  
 )  
 \_\_\_\_\_ )

No. C09-1714 BZ

**FIRST DISCOVERY ORDER**

Following a telephone conference to discuss the pending discovery disputes at which both sides were represented by counsel, **IT IS ORDERED** as follows:

1. Plantronics is **GRANTED** leave to file a motion for a protective order to prevent Mr. Morrisey from being re-deposed for the purpose of diagraming exhibits, having in mind the views on this issue expressed by the Court.

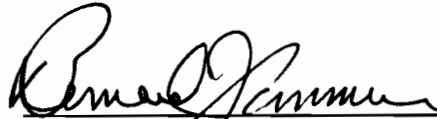
2. If Aliph concludes that Plantronics' supplemental interrogatory answers are inadequate, it has leave to file a motion to compel further answers.

3. Plantronics shall complete its document production by **July 1, 2011.**

1           4. By July 1, 2011, Plantronics shall file a declaration  
2 from a responsible person that it has made a diligent search  
3 for the lab notebooks and has been unable to locate them. In  
4 so ordering, I express no view on whether Plantronics is  
5 obligated to produce the notebooks if they are currently in  
6 the possession of a third party over whom it has no control.

7           5. The Court deems Document No. 100 to be a motion to  
8 compel further document production, which needs no further  
9 briefing or argument. This ruling resolves that motion.

10 Dated: June 24, 2011

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12 \_\_\_\_\_  
13 Bernard Zimmerman  
14 United States Magistrate Judge

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