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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

| | | |
|---------------------------|---|--------------------------------|
| MKS INSTRUMENTS INC., |) | |
| |) | |
| Plaintiff(s), |) | No. C09-2297 JSW (BZ) |
| |) | |
| v. |) | INITIAL DISCOVERY ORDER |
| |) | |
| NEW POWER PLASMA and DOES |) | |
| 1-10, inclusive, |) | |
| |) | |
| Defendant(s). |) | |
| _____ |) | |

All discovery in this matter has been referred to United States Magistrate Judge Bernard Zimmerman.

In the event a discovery dispute arises, the parties shall meet in person or, if counsel are outside the Bay Area, by telephone and make a good faith effort to resolve their dispute. Exchanging letters or telephone messages about the dispute is insufficient. The Court will not read subsequent positioning letters; parties shall instead make a contemporaneous record of their meeting using a tape recorder or a court reporter.

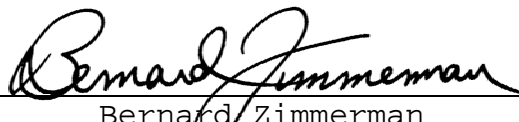
In the event they cannot resolve their dispute, the parties must participate in a telephone conference with the Court **before** filing any discovery motions or other papers.

1 The party seeking discovery shall request a conference in a
2 letter **filed electronically** not exceeding two pages (with no
3 attachments) which briefly explains the nature of the action
4 and the issues in dispute. Other parties shall reply in
5 similar fashion within two days of receiving the letter
6 requesting the conference. The Court will contact the parties
7 to schedule the conference.

8 After the conference with the Court, if filing papers is
9 deemed necessary, they should be filed **electronically** with the
10 Clerk's Office, with **one hard copy delivered directly to**
11 **Magistrate Judge Zimmerman's Chambers (Room 15-6688)**. A
12 chambers copy of all briefs shall be submitted on a diskette
13 formatted in WordPerfect or e-mailed to the following address:

14 **bzpo@cand.uscourts.gov**

15 Dated: July 10, 2009



16 _____
17 Bernard Zimmerman
18 United States Magistrate Judge

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