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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUNIPER NETWORKS, INC.,

Plaintiff,

No. C 09-03449 JSW

v.

ALTITUDE CAPITAL PARTNERS, L.P. and
SECURITY RESEARCH HOLDINGS LLC,

Defendants.

**ORDER GRANTING REQUEST
TO STAY UNRELATED
DISCOVERY AND REFERRING
MATTER TO MAGISTRATE
JUDGE**

On November 30, 2009, this Court received a letter brief from the parties regarding a dispute over the appropriate scope of discovery pending a motion to dismiss filed by the Defendants.

When a defendant raises jurisdictional objections, the Court may stay discovery proceedings and limit discovery to matters relevant to the Court's jurisdiction. *See orchid Biosciences, Inc. v. St. Louis University*, 198 F.R.D. 670, 675 (S.D. Cal., 2001) (citing 8 Charles A. Wright, Arthur R. Miller & Richard L. Marcus, Federal Practice and Procedure § 2040, p. 521-22 (2d ed. 1994)). The Court here finds that because a dispositive motion is pending which challenges jurisdiction, allowing discovery which extends beyond jurisdictional issues at this juncture would place a burden on Defendants which exceeds the benefit derived by Plaintiff. Accordingly, the Court GRANTS Defendants' request to limit discovery only to issues relating to the pending motion to dismiss.

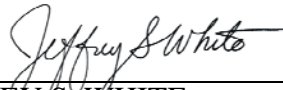
However, to the extent the parties continue to disagree about the specific scope of the

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pending discovery requests and whether any particular request falls within the ambit of the pending motion to dismiss, pursuant to Civil Local Rule 72-1, the Court HEREBY REFERS these potential discovery disputes and any further discovery disputes which may arise in this matter to a randomly-assigned magistrate judge for resolution.

IT IS SO ORDERED.

Dated: December 1, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

cc: Wings Hom