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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 DATEL HOLDINGS LTD,

No. C-09-05535 EDL

11 Plaintiff,

**ORDER REGARDING DEFENDANT'S
REQUEST FOR STATUS CONFERENCE**

12 v.

13 MICROSOFT CORPORATION,

14 Defendant.
15 _____/

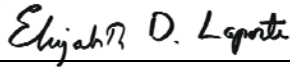
16 On February 11, 2011, Defendant filed a letter requesting that the Court conduct a status
17 conference in this case during the week of February 14, 2011. On February 13, 2011, Plaintiff filed
18 a letter opposing that request. The Court has reviewed both letters and orders as follows.

19 Defendant has a point that if the parties' disputes are decided on fully briefed motions (even
20 if the Court agreed on a motion-by-motion basis to shorten time somewhat), an order granting
21 additional discovery, if warranted, may affect the pretrial schedule. On the other hand, as Plaintiff
22 points out, the Court cannot really decide efficiently, or probably even effectively, most of the
23 disputes without briefing. In its letter, Defendant mentions "numerous pending discovery concerns,
24 including scheduling depositions of Datel's engineers, the late and/or incomplete production of
25 source code by Datel, the inability to obtain samples of earlier versions of products, and documents
26 about Datel's development of a wireless protocol." Feb. 11, 2011 letter at 1. It is impracticable for
27 the Court to address these four or more disputes at a status conference later this week. The Court
28 will consider one to, at most, three discrete issues that are most likely to affect scheduling based on a
joint statement of the disputes briefly setting out each side's position and proposed resolution. The

joint statement shall be filed no later than February 17, 2011 at 9:00 a.m. and the Court will attempt to address the issues at a status conference on February 22, 2011 at 3:30 p.m.

IT IS SO ORDERED.

Dated: February 14, 2011



ELIZABETH D. LAPORTE
United States Magistrate Judge