

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-PASS TECHNOLOGIES,
Plaintiff,
v.
MOSES & SINGER, LLP, *et al.*,
Defendants.

No. C-09-5967 EMC

**ORDER RE ORDER TO SHOW CAUSE
HEARING
(Docket No. 61)**

On November 18, 2010, the Court issued an order to show cause. *See* Docket No. 61 (order). All of the defendants in the Underlying Actions responded to the order to show cause, except for Microsoft Corporation. The responding defendants stated that they do not oppose production of documents in the instant case pursuant to the protective orders in the Underlying Actions. *See* Docket Nos. 63, 67, 68 (responses). Accordingly, the Court shall not require the responding defendants to appear at the hearing on December 22, 2010. The parties in the instant case are to be bound by the terms of the protective orders in the Underlying Actions with respect to the confidential information produced by the responding defendants in the Underlying Actions.

The order to show cause hearing shall still proceed on December 22 in order to give Microsoft Corporation one final opportunity to show cause why the documents subject to the protective orders in the Underlying Actions should not be subject to production in the instant case under a protective order bearing the same terms and conditions as those stated in the protective orders in the Underlying Actions. If any party or Microsoft Corporation wishes to participate in the

1 hearing by telephone, it must contact Betty Lee, the Courtroom Deputy, at (415) 522-2034 no later
2 than December 21, 2010.

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4 IT IS SO ORDERED.

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6 Dated: December 8, 2010

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EDWARD M. CHEN
United States Magistrate Judge

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