

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FINISAR CORPORATION, a Delaware corporation,

No. C 10-00032 WHA

Plaintiff,

v.


**NOTICE REGARDING
CASE MANAGEMENT
CONFERENCE**

SOURCE PHOTONICS, INC., a Delaware corporation, MRV COMMUNICATIONS, a Delaware corporation, NEOPHOTONICS CORPORATION, a Delaware corporation, and OPLINK COMMUNICATIONS INC., a Delaware corporation,

Defendants.

In light of the large number of patents and claims asserted by plaintiff (the complaint asserts *eleven* different patents), the undersigned requests that counsel for all parties be prepared to address at the case management conference the advisability of using a court-appointed expert under Rule 706 of the Federal Rules of Evidence. This expert would testify at trial and possibly during claim construction and other hearings before trial. The court-appointed expert, however, would *not* act as a “law clerk” for the undersigned, but would fulfill the role envisioned by FRE 706. Plaintiff’s counsel will ensure that this notice is supplied to counsel for each defendant.

Dated: January 14, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE