

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

MEDIOSTREAM, INC.,
Plaintiff,

v.

ACER AMERICA CORPORATION, *et al.*,
Defendants.

No. MISC 10-80256 WHA

**ORDER SETTING BRIEFING
SCHEDULE AND HEARING
DATE ON SONY'S MOTION
TO COMPEL**

This miscellaneous action relates to *Mediostream, Inc. v. Acer America Corp., et al.*, a patent infringement action currently pending in the United States District Court for the Eastern District of Texas in which Sony Corporation is a named defendant. As set forth in its motion, Sony moves to compel non-party ChinaVest, Inc. to comply with a subpoena that was purportedly served upon ChinaVest's registered agent for service of process in California on September 23, 2010. ChinaVest, however, has allegedly not responded at all to the subpoena and has ignored all communications from Sony's counsel seeking compliance with the subpoena.

The following schedule will govern this dispute. ChinaVest shall file a response to this motion no later than **NOON ON FRIDAY, NOVEMBER 12, 2010**. A reply brief may be filed by **NOON ON TUESDAY, NOVEMBER 16**. Counsel for Sony and ChinaVest must then meet and confer *in person* **FROM 8:00 A.M. UNTIL 11:00 A.M. ON THURSDAY, NOVEMBER 18**, in the jury room of Courtroom 9 on the 19th floor of the federal courthouse located at 450 Golden Gate Ave. in San Francisco. Counsel shall check-in with chambers upon arrival to gain access to the jury room.

United States District Court
For the Northern District of California

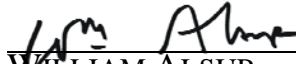
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

If the issue is not resolved during the meet and confer, the undersigned judge will hold a hearing at 11 a.m. on the motion. Only counsel present at the meet and confer will be allowed to argue at the hearing.

Sony must immediately serve this order and all documents pertaining to the motion upon ChinaVest. Additionally, given that ChinaVest's registered agent for service of process is also the Chairman of Mediostream (the plaintiff in the underlying Texas litigation), these documents should also be served immediately upon Mediostream. ChinaVest's full compliance with this order is expected.

IT IS SO ORDERED.

Dated: November 3, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE