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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SYMANTEC CORPORATION, a Delaware  
Corporation,

Plaintiff,

v.

JOHNS CREEK SOFTWARE, INC., a  
Georgia Corporation, STEPHEN  
CHEATHAM, an individual, and DOES 1-10,

Defendants.

CASE NO. CV-11-03146-WHA

~~PROPOSED~~ ORDER REGARDING  
DISCOVERY HEARING

Based on a discovery letter brief submitted by plaintiff Symantec Corporation (“Symantec”), the Court held a hearing on April 4, 2012, and ORDERS as follows:

1. The Court previously ordered Defendants Johns Creek Software, Inc. and Stephen Cheatham (collectively, “Defendants”) to produce “a list of all domain names registered or controlled by Defendants that contain a Symantec trademark and all information regarding any efforts to transfer or sell same, as requested in Symantec’s Interrogatory Nos. 1 and 5, and all associated documents, as requested in Symantec’s Request for Production Nos. 3-13 and 15, by noon on Friday, February 24, 2012.” *See* Feb. 23, 2012 Order (Dkt. No. 77) (the “Feb. 2012 Order”). Defendants are HEREBY ORDERED to conduct additional inquiry into, and searches for, the above-referenced categories of information and documents ordered to be produced in the


1 Feb. 2012 Order, and to produce, by noon PST on Wednesday, April 11, 2012, (a) an updated list  
2 of all domain names encompassed by the Feb. 2012 Order, and (b) all documents and  
3 information responsive to Symantec's Interrogatory Nos. 1 and 5 and Request for Production  
4 Nos. 3-13 and 15.

5 2. Defendants are HEREBY ORDERED to produce, on or before April 18, 2012, a  
6 single Excel spreadsheet containing all information regarding Defendants' sales of Symantec  
7 products requested in Symantec's Interrogatory No. 2. The spreadsheet's columns shall  
8 correspond to each item of information requested in Symantec's Interrogatory No. 2.

9 3. Symantec is hereby granted permission from the Court to contact any of  
10 Defendants' customers in any manner Symantec chooses, including by informal means or  
11 through service of discovery subpoenas. While Symantec shall not make any disparaging  
12 comments about Defendants during any discussions with Defendants' customers, Symantec is  
13 permitted to discuss the existence of the present lawsuit, as well as the non-confidential facts and  
14 allegations at issue in this lawsuit.

15 **IT IS SO ORDERED.**

16 Dated: April 9, 2012.



Honorable William H. Alsup  
United States District Judge

17  
18 Submitted by:

19 /s/ Jennifer L. Barry

20 Jennifer L. Barry  
LATHAM & WATKINS LLP

21 Attorneys for Plaintiff  
22 SYMANTEC CORPORATION  
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