United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

REEVES & ASSOCIATES, PLC,

  Plaintiff,   No. C 11-04762 WHA

 v.

MATTHEW D. MULLER, AND   **ORDER REGARDING**
DOES 1–25, Inclusive,   **EX PARTE APPLICATION**

  Defendants.

              /

  Plaintiff Reeves & Associates, PLC, filed an ex parte motion requesting an order requiring defendant Matthew Muller to show cause for why he should not be held in contempt for violating a stipulated protective order.

  This action was initially filed on September 2011. It arises from defendant's alleged misappropriation of confidential and proprietary data during his final days of employment at Reeves. On October 2011, the parties filed a stipulation for an order for injunctive relief and a protective order. Less than two weeks after the stipulation was entered by the Court (Dkt. No. 24), the parties stipulated to a voluntary dismissal with prejudice (Dkt. No. 29).

  The stipulated order prevents defendant from using, altering or destroying data and requires defendant to deliver certain hard-drives to a computer security firm. The computer security firm was to print out a map of the drive contents to identify any and all of plaintiff's files on the drives. The parties were to share the costs related to this endeavor.

Plaintiff now contends, nearly a year after the action was dismissed, that defendant is in violation of the injunctive relief and protective order by refusing to cooperate in carrying out the mapping of the drives. Plaintiff proceeds ex parte to enforce the terms of the stipulated order.

There is not good cause to bring this request ex parte. Plaintiff shall serve this order and motion on defendant who will have until **NOON** on **DECEMBER 14** to file an opposition. Plaintiff's reply will be due at **NOON** on **DECEMBER 21**.

IT IS SO ORDERED.

Dated: December 3, 2012.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE