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United States District Court
Northern District of California

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

SYMANTEC CORPORATION,

Plaintiff,

v.

ACRONIS CORPORATION,

Defendant.

Case No.: C11-5310 EMC (JSC)

**ORDER RE: JOINT DISCOVERY LETTER
BRIEF (Dkt. No. 113)**

Pending before the Court is the parties' Joint Discovery Letter Brief regarding Plaintiff's request to compel certain discovery responses from Defendant and Defendant's request to quash Plaintiff's objection to certain of Defendant's experts. It is apparent that further meet and confer efforts *in person* may resolve many, if not all, of the disputes raised in the letter. Accordingly, on or before **October 3, 2012**, the parties must meet and confer in person in a good faith attempt to resolve the disputes raised in Docket No. 113. The meet and confer shall occur in San Francisco, unless the parties agree otherwise, and must be attended by counsel with full authority to resolve all of the outstanding issues, including scheduling depositions. The Court notes that it is generally not in any party's interest to insist upon strict compliance with formal

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discovery to obtain certain information, such as contact information for third parties. All parties benefit from cooperative and where possible, informal discovery. Also, a party may not condition a response to a proper discovery request on the opposing party's response to a different request.

With respect to Dispute No. 7 (Acronis's experts), the parties shall submit a separate joint letter to address this issue to allow Plaintiff to respond in writing. Such letter shall be submitted on or before **Tuesday, October 2, 2012.**

The Court will hold a hearing on any remaining disputes from the Docket No. 113 discovery letter at **9:30 a.m. on Thursday, October 4, 2012.** Counsel with full authority to resolve all of the outstanding discovery issues must attend in person. In the future, no discovery disputes shall be submitted to this Court for resolution without the parties first meeting and conferring in person.

IT IS SO ORDERED.

Dated: September 27, 2012



JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE