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United States District Court
For the Northern District of California

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

VERINATA HEALTH, INC., et al.,
Plaintiffs,
v.
SEQUENOM, INC., et al.,
Defendants.

No. C 12-00865 SI

**ORDER DENYING VERINATA’S
MOTION TO COMPEL**

Currently before the Court is plaintiff Verinata’s motion to compel defendant Sequenom to “(1) promptly supplement its interrogatory responses, (2) promptly produce documents responsive to Verinata’s RPD Nos. 1-4 on a rolling basis and log all documents it is withholding based on privilege or protective order, and (3) comply with its discovery obligations in good faith going forward.” Docket No. 53. Verinata did not submit a joint statement, as required by the Court’s Standing Order, but instead filed a separate statement two business days after asking Sequenom to provide its portion of a joint statement addressing Verinata’s issues by the close of the next business day. *See* Objection, Docket No. 54. The Court sees no current urgency in the issues raised by Verinata that would obviate the need to comply with the Court’s Standing Order. Likewise, the record does not demonstrate that Sequenom was unwilling to provide a response in support of a joint letter within a reasonable response time in light of the context of the dispute.¹

¹ For example, depending on the context – including the complexity of the issues and whether there are exigent circumstances requiring a shorter response time – four to five business days represents a reasonable amount of time to provide a statement in support of a joint discovery letter.

1 For the foregoing reasons, the Court DENIES Verinata's request for relief without prejudice.
2 If the issues raised remain unresolved after the parties meet and confer, consistent with the Court's
3 Standing Order, Verinata may file a joint submission addressing the outstanding disputes. If Sequenom
4 refuses to meet and confer and/or provide a response in support of a joint statement within a reasonable
5 amount of time, Verinata may file, also consistent with the Court's Standing Order, an individual
6 statement of two pages or less.

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8 **IT IS SO ORDERED.**

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10 Dated: October 15, 2012



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12 SUSAN ILLSTON
13 UNITED STATES DISTRICT JUDGE
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