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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER E BANAS, et al.,
Plaintiffs,
v.
VOLCANO CORPORATION, et al.,
Defendants.

Case No. 12-cv-01535-WHO

**ORDER REQUIRING SUBMISSION OF
CONTEMPORANEOUS TIME
RECORDS**

Re: Dkt. No. 106

Defendant Volcano Corporation has filed a motion for attorneys’ fees following the Court’s order granting summary judgment for Volcano.¹ Dkt. No. 106. In order to allow the Court and plaintiffs to effectively assess the reasonableness of Volcano’s fees request, Volcano shall provide the Court and the plaintiffs with contemporaneous time records of its timekeepers for inspection per Civil Local Rule 54-5(b)(2). The records shall be lodged with the Court and served on the plaintiffs; they shall not be filed on the publicly accessible docket. Given their volume, Volcano shall provide the records on a CD/DVD. The records shall be treated as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY Disclosure or Discovery Material,” under the Stipulated Modified Protective Order governing this action. Dkt. No. 46.

Volcano shall lodge and serve the contemporaneous time records by May 30, 2014. Plaintiffs may file an objection to the records by June 23, 2014. Plaintiffs’ objection shall be limited to 15 pages and may only address alleged inefficiencies and unreasonable billing reflected in the records. The response shall not respond to arguments raised in Volcano’s fees motion.

¹ The underlying contract between the parties, which includes a fee shifting provision, is governed by Delaware law. However, the parties agree that Civil Local Rule 54-5(b) governs the form of Volcano’s fees motion.

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Volcano may file a response to the plaintiffs' objection by July 7, 2014. Volcano's response shall be limited to 15 pages and may only address the plaintiffs' objection to the time records.

The hearing on Volcano's fees motion currently set for May 28, 2014 is VACATED and RESCHEDULED for July 18, 2014 at 1:00 p.m.

IT IS SO ORDERED.

Dated: May 20, 2014



WILLIAM H. ORRICK
United States District Judge