

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

4 FLATWORLD INTERACTIVES LLC, a
5 Pennsylvania limited liability company,

6 Plaintiff,

7 v.

8 APPLE INC., a California corporation,

9 Defendant.

No. C 12-01956 WHO (EDL)

**ORDER GRANTING IN PART
FLATWORLD'S SECOND MOTION
TO COMPEL DISCOVERY**

JURY TRIAL REQUESTED

Date: September 17, 2013

Time: 2:00 PM

Courtroom: E, 15th Floor

**Judge: Honorable Elizabeth D.
LaPorte**

**DATE ACTION FILED: April 19,
2012**

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14 On September 17, 2013, a hearing was held before the undersigned Court on Plaintiff
15 FlatWorld Interactives's Second Motion to Compel Discovery from Defendant Apple Inc. from
16 twenty custodians. Now therefore, it is hereby ORDERED that the motion is GRANTED in part
17 and DENIED in part, as follows:

18 Apple agreed at oral argument that it does not dispute FlatWorld's motion with respect to
19 the following seven Apple custodians and represented that it was producing some responsive
20 documents: Raleigh Ledet, Kristen Forster, Bret Victor, Lalit Pathak, Bas Ording, Wayne
21 Westerman, and Kenneth Kocienda. Accordingly, FlatWorld's motion is GRANTED as to
22 Requests for Production Nos. 85 (Ledet), 86 (Forster), 87 (Victor), 89 (Pathak), 92 (Ording), 96
23 (Westerman), and 108 (Kocienda).

24 In addition, the Court finds FlatWorld made a sufficient showing with respect to Apple
25 custodian David Carvalho. Accordingly, FlatWorld's motion is GRANTED as to Request for
26 Production No. 98 (Carvalho), to the extent set forth below.

1 Finally, FlatWorld may choose one additional Apple custodian at its discretion and Apple
2 shall comply with the custodian's associated document request. FlatWorld has chosen Craig
3 Federighi. Accordingly, FlatWorld's motion is GRANTED as to Request for Production No. 91
4 (Federighi), to the extent set forth below.

5 In complying with this Order, Apple need not produce documents that it has previously
6 produced, and documents that the Court has previously ordered need not be produced. For
7 purposes of this Order, the scope of the allowed requests shall be further limited to documents
8 dated within six years prior to the date the complaint herein was filed, and documents that refer or
9 relate to the technology accused of infringement in FlatWorld's original and amended infringement
10 contentions.

11 The parties are encouraged by the Court to exchange lists of their respective proposed
12 search terms, then meet, confer, and agree upon appropriate search terms for Apple's production in
13 response to this Order.

14 As to all other custodians that were the subject of FlatWorld's motion, the motion is
15 DENIED without prejudice to renewal by FlatWorld if Apple's compliance with this order results
16 in the production of substantial relevant non-duplicative documents.

17 DATED this 23 day of October, 2013.

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19 HONORABLE ELIZABETH D. LA PORTE
20 UNITED STATES MAGISTRATE JUDGE
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1 Presented on October 25, 2013 by:
2 HAGENS BERMAN SOBOL SHAPIRO LLP

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4 By /s/ Steve W. Berman
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