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## UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

INTEGRAL DEVELOPMENT CORP,

No. C 12-06575 JSW (LB)

Plaintiff,

**ORDER REGARDING THE PARTIES'  
SEPARATE DISCOVERY LETTER  
BRIEFS**

v.

VIRAL TOLAT,

[Re: ECF Nos. 162, 164]

Defendant.  
\_\_\_\_\_ /

The court held a discovery hearing on September 26, 2013 and issues this order memorializing what was decided.

1. The court's previous orders regarding the forensic evaluation by Access remains in effect. Mr. Russo's proposed deadline of October 9, 2013 seems an appropriate time limitation. Integral's counsel, Mr. Russo, will email Dr. Tolat's counsel at Farella Braun + Martel immediately after the hearing detailing the work to be done. Having the work done is necessary for a productive settlement discussion. Mr. Russo also says he needs it to prepare the Rule 30(b)(6) witness, and the court accepts that representation.

2. Dr. Tolat is now represented by Farella Braun + Martel. To oppose the pending motions, they need to depose Integral's Rule 30(b)(6) witness. The court accepts that representation. The deposition is set for tomorrow (September 27, 2013). The deadline for Dr. Tolat's opposition also is tomorrow. This timing presents problems given Mr. Russo's asserted need for the Access data. The court appreciates Farella's argument that Mr. Russo had enough information to file the summary

1 judgment motion, but the issue from Farella's perspective remains that the Rule 30(b)(6) deposition  
2 will be most productive after the forensic evaluation is completed.

3 3. All of this impacts the schedule. The court ordered the parties to meet by telephone at 1 p.m.  
4 today (September 26, 2013) to work out a schedule that accomplishes the completion of the forensic  
5 evaluation and allows an orderly briefing of the motions so that the district court is in the best  
6 position to evaluate the parties' arguments. The parties' stipulated schedule should be filed as soon  
7 as possible today given the deadlines. The schedule should include the finalization of the forensic  
8 evaluation, a set date for the Rule 30(b)(6) deposition, and a revised briefing and hearing schedule  
9 for the motions. The parties must consult the district court's calendar.

10 4. If the parties need the undersigned's help navigating the deadlines, they may call chambers at  
11 415-522-4660 to arrange a case management call. The court likely will have only a short period of  
12 time at 3:00 p.m. The court expects the parties to work it out because it is in all of their interests to  
13 file a joint stipulation as soon as possible today.

14 **IT IS SO ORDERED.**

15 Dated: September 26, 2013



16 LAUREL BEELER  
United States Magistrate Judge

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