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

SYNOPSISYS, INC.,
Plaintiff,
v.
ATOPTECH, INC,
Defendant.

Case No. [13-cv-02965-MMC](#)

**ORDER DENYING WITHOUT
PREJUDICE DEFENDANT’S MOTION
FOR RELIEF FROM NOVEMBER 16,
2016 ORDER**

Re: Dkt. No. 904

Before the Court is defendant’s motion, filed December 2, 2016, for relief from a nondispositive pretrial order of Magistrate Judge Donna M. Ryu, filed November 16, 2016.

Defendant’s motion is, however, based on evidence not previously submitted to Magistrate Judge Ryu, specifically, an exhibit “created by [defendant’s counsel] with summary information about the asserted patents in the case.” (See Marsh Dec. ¶ 12; see also Mot. at 1:21-23 (“Although [defendant] believes that the November 16 order is clearly erroneous . . . should the Court prefer, [defendant] respectfully requests leave to file a motion for reconsideration of the November 16 before Judge Ryu.”).) As a consequence, defendant’s motion is, in essence, a motion for reconsideration based on newly-offered evidence.

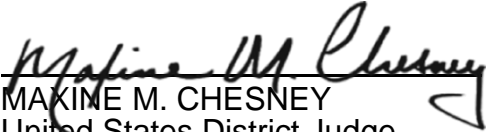
Accordingly, defendant’s motion is hereby DENIED, without prejudice to defendant’s filing a motion for leave to file a motion for reconsideration, to be presented

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to Magistrate Judge Ryu. See Civil L.R. 7-9(b)(2).

IT IS SO ORDERED.

Dated: December 8, 2016


MAKIME M. CHESNEY
United States District Judge