

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. 07-md-01827-SI
MDL No. 1827

This Order Relates To Individual Case No.
13-cv-03349 SI:

No. C 13-3349 SI

ACER AMERICA CORPORATION;
GATEWAY, INC.; and GATEWAY U.S.
RETAIL, INC., f/k/a eMACHINES, INC.,

**ORDER RE: ADMINISTRATIVE
MOTION FOR ISSUANCE OF
LETTERS ROGATORY AND LETTERS
OF REQUEST**

Plaintiffs,

vs.

HITACHI, LTD. *et al.*,

Re: Dkt. 9293

Defendants.

Currently before the Court is plaintiffs’ administrative motion for issuance of letters rogatory and letters of request. Plaintiffs ask the Court to issue seventeen letters rogatory and twelve letters of request to compel the production of foreign documents and the depositions of foreign witnesses. MDL Master Dkt. 9293, Combined Ex Parte Miscellaneous Administrative Mot. for Issuance of Letters Rogatory and Letters of Req.¹ The Court has received one objection, from defendant LG Display Co., Ltd. (“LG Display”). LG Display opposes the issuance of plaintiffs’ proposed letter rogatory concerning the production of documents and deposition of witnesses from LG Display Taiwan Co., Ltd. (“LG Display Taiwan”).

Defendant LG Display contends that it has already produced the information regarding LG

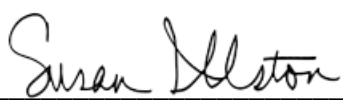
¹ Plaintiffs have withdrawn the motion for issuance of letters rogatory to Renesas Electronics Corporation. MDL Master Dkt. 9305.

1 Display Taiwan that plaintiffs seek. MDL Master Dkt. No. 9296, Opp'n, at 1.² A discovery order
2 governing the MDL states that “[d]uplication is a proper objection to written discovery requests.”
3 MDL Master Dkt. No. 1727, Special Master’s Order Regarding Individual Action Plaintiffs and
4 Case Management, ¶ 3(d) (amending MDL Master Dkt. No. 301, Pretrial Order No. 5: Case
5 Management). However, the order also states that “[t]his paragraph in no way prejudices or
6 diminishes individual action plaintiffs’ right to serve their own written discovery requests
7 regarding issues that are not common to any other plaintiff or group of plaintiffs, in the event that
8 the parties are unable to propound joint written discovery after consulting in good faith[.]” *Id.*

9 The Court hereby GRANTS plaintiffs’ administrative motion for the issuance of the letters
10 rogatory and letters of request directed at the entities other than LG Display Taiwan. With regard
11 to LG Display Taiwan, plaintiffs shall file revised letters to compel production of documents and
12 depositions of witnesses that remove requests for any information previously produced in this
13 MDL. This Order resolves MDL Master Dkt. 9296.

14
15 **IT IS SO ORDERED.**

16
17 Dated: November 24, 2014

18 
19 _____
20 SUSAN ILLSTON
21 United States District Judge

22
23
24
25
26 _____
27 ² Defendant relies on past discovery requests submitted by other MDL plaintiffs. *See* Opp’n, Ex.
28 A (relating to “All Class Actions”); Ex. B (“All Direct Purchaser Actions”); Ex. C (“All
Actions”). These requests sought information regarding defendant’s subsidiaries. *Id.* LG Display
Taiwan is a subsidiary of LG Display. Opp’n, at 2. However, defendant has not shown that it has
fully complied with those requests.