

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 TRENT WEST,
5 Plaintiff,

6 v.

7 ULTIMATE METALS CO., et al.,
8 Defendants.

Case No. [13-cv-03651-WHO](#) (MEJ)

DISCOVERY ORDER

Re: Dkt. No. 81

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10 On July 22, 2014, the parties filed a joint discovery dispute letter regarding Plaintiff Trent
11 West's Patent Local Rules 3-1 and 3-2 infringement contentions. Dkt. No. 81. The Court has
12 addressed this dispute in two previous orders. Dkt. Nos. 69, 75. Upon review of the most recent
13 letter, the Court ORDERS as follows:

- 14 1) Plaintiff Trent West shall serve on Defendants a declaration by July 28, 2014,
15 attesting that he has disclosed all information that is reasonably available to him,
16 including: (a) specifically where each limitation of each asserted claim is found
17 within each Accused Instrumentality; and (b) the level of detail that the "reverse
18 engineering or its equivalent" standard requires.
- 19 2) If Plaintiff attempts to introduce evidence that he could have but failed to disclose
20 as part of his infringement contention disclosures, the Court will consider
21 exclusionary sanctions.
- 22 3) Defendants shall serve their Invalidity Contentions not later than 45 days after
23 service of Plaintiff's declaration.

24 **IT IS SO ORDERED.**

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26 Dated: July 23, 2014

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MARIA-ELENA JAMES
United States Magistrate Judge