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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KING.COM LIMITED,

Plaintiff(s),

v.

6 WAVES LLC,

Defendant(s).

No. C-13-03977-MMC (DMR)

**ORDER RE: JOINT DISCOVERY
LETTER [DOCKET NO. 88]**

The parties have filed a joint discovery letter which is set for hearing on August 28, 2014 at 11:00 a.m. [Docket No. 88.]

Certain disputes raised in the letter are premature. For example, Plaintiff requests that the court compel Defendant to provide supplemental responses to Plaintiff's interrogatories by August 22, which is the date on which the parties have already agreed Defendant will provide supplemental responses. Plaintiff also raises anticipatory concerns that Defendant's document production scheduled for August 29 will be incomplete.

Other disputes have been brought to the court's attention before the parties have finished meeting and conferring about them. For example, Plaintiff raises concerns based on Defendant's August 5 and August 12 production of discovery responses, but Defendant states that Plaintiff rushed to file the instant joint discovery letter on August 15, 2014, before Defendant could respond to the issues raised by Plaintiff. In short, it is clear that the parties are not communicating well.

1 The August 28, 2014 hearing on the joint discovery letter will be held as scheduled.
2 However, the parties are directed to continue meeting and conferring about the issues raised in the
3 letter. By **August 22, 2014, the parties shall re-file the joint discovery letter** to update the court
4 of the status of the parties' disputes and whether they have resolved those disputes without judicial
5 intervention. The updated letter shall address only those disputes raised in Docket No. 88, and shall
6 be no longer than **8 pages**. Should the parties resolve the disputes raised in the updated letter prior
7 to the hearing date, they shall notify the court that the dispute no longer requires judicial
8 intervention as soon as possible. The parties must follow the procedures described in this court's
9 order re: discovery procedures that permit each side sufficient time to prepare the joint letter. *See*
10 Docket No. 80 (“[T]he parties shall first meet and confer to try to resolve their disagreements. The
11 meet and confer session must be in person or by telephone, and may not be conducted by letter,
12 e-mail, or fax. If disagreements remain, the parties shall file a joint letter Parties are expected
13 to plan for and cooperate in preparing the joint letter so that each side has adequate time to address
14 the arguments.”).

15 Lead counsel for both parties must appear on **August 28, 2014 at 9:30 a.m.** to meet and
16 confer in person in the courtroom prior to the hearing regarding any outstanding discovery disputes
17 raised in the updated letter. The court will address any remaining issues at the hearing on **August**
18 **28, 2014 at 11:00 a.m.**

19
20 IT IS SO ORDERED.

21
22 Dated: August 19, 2014

