

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

BRIGHTEDGE TECHNOLOGIES, INC.,  
Plaintiff,  
v.  
SEARCHMETRICS, GMBH., et al.,  
Defendants.

Case No. [14-cv-01009-WHO](#) (MEJ)

**DISCOVERY ORDER**

Re: Dkt. No. 44

The Court is in receipt of Plaintiff BrightEdge Technologies request that the Court relieve it of the in person meet and confer requirement for discovery disputes regarding its requests for production, and that the Court grant Plaintiff leave to file its letters on these disputes without needing to obtain Defendants' portions. Dkt. No. 44. Defendants Searchmetrics GmbH and Searchmetrics, Inc. have filed a response, arguing that Plaintiff's request is an improper attempt to bypass this Court's requirements that parties meet and confer in good faith to genuinely attempt to resolve disputes prior to involving the Court. Dkt. No. 46. Defendants maintain that Plaintiff seeks to unilaterally impose unreasonable and arbitrary meet and confer requirements on them to obstruct the discovery process and harass and them.

Upon review of the parties' filings, the Court DENIES Plaintiff's requests to relieve it of the in person meet and confer requirement and file its letters without Defendants' portions. The parties are ORDERED to meet and confer, over a reasonable timeframe and in good faith, to discuss these disputes. After the parties have discussed the issues, understand the other party's positions, and determine they cannot reach agreement, the parties should then meet and confer in person in a genuine attempt to try to resolve the dispute before involving the Court. So as to ensure compliance with the spirit of the meet and confer requirement, the parties shall make a

1 contemporaneous record of any in person meeting using a court reporter or electronic recording  
2 device. The parties are advised that, if any joint letters are filed, the Court may request a copy of  
3 the transcript from the in person meeting.

4 **IT IS SO ORDERED.**

5  
6 Dated: July 17, 2014



---

8 MARIA-ELENA JAMES  
9 United States Magistrate Judge

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28