

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

PHOENIX TECHNOLOGIES LTD.,

Plaintiff,

v.

VMWARE, INC.,

Defendant.

Case No. [15-cv-01414-HSG](#) (DMR)

**ORDER RE JUNE 30, 2016 DISCOVERY
HEARING**

Re: Dkt. Nos. 98, 99

The court has reviewed the parties' May 20, 2016 joint discovery letters, which are set for hearing on June 30, 2016. [Docket Nos. 98, 99.] The court's Standing Order requires the parties to "meet and confer to try to resolve their disagreements" before submitting a joint letter, and requires lead trial counsel to attest "that the parties met and conferred in person or by telephone regarding all issues prior to filing [a] letter." [Docket No. 69 (Notice of Amended Discovery Procedures).] However, it appears that the parties have not met and conferred at all as to two issues; specifically, Phoenix's motion to compel a supplemental response to interrogatory no. 2 and Phoenix's challenge to VMware's partial redactions of emails between engineers. It also appears that the parties have only partially met and conferred with respect to VMware's motion to compel further responses to requests for production ("RFPs") 98 and 121.

Therefore, lead counsel for the parties are ordered to immediately meet and confer as to these issues and to arrive at the courthouse at 9:00 a.m. on June 30, 2016 to complete their meet and confer. Lead counsel shall also be prepared to stay at the courthouse following the 11:00 a.m. hearing and to devote the entire day, if necessary, to resolving the dispute(s). Counsel are also directed to review the district's "Guidelines for Discovery of Electronically Stored Information" and "Checklist for Rule 26(f) Meet and Confer Regarding Electronically Stored Information" prior

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

to their meet and confer sessions.

IT IS SO ORDERED.

Dated: June 27, 2016

