

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

ARTEC GROUP, INC.,

Plaintiff,

v.

ANDREY KLIMOV, et al.,

Defendants.

Case No. 15-cv-03449-EMC

ORDER RE JOINT LETTER BRIEFS

Docket No. 247-48

Previously, the Court conditionally granted defense counsel’s motions to withdraw and then ordered defense counsel to meet and confer with Artec regarding disputes as to whether certain conditions precedent to withdrawal had been satisfied. *See* Docket No. 225, 243 (orders).

The parties have now submitted letter briefs to update the Court as to the results of the meet and confer. Having reviewed those briefs, the Court hereby orders as follows.

(1) *Klimov Defendants*. The Court shall stamp the stipulation and proposed order located at Docket No. 247. After receiving the May 17 filing (referenced in the stipulation and proposed order), the Court shall decide whether to grant final approval to the motions to withdraw filed by counsel for the Klimov Defendants.

(2) *Axon*. Although the conditions for withdrawal appear to have been met, Artec has argued that withdrawal by counsel for Axon still should not be permitted until a discovery dispute is resolved. *See* Docket No. 248 (Letter Br. at 5 n.3.) The dispute centers on redaction of Axon customer information. Axon argues that the discovery dispute is independent of the withdrawal motion; Artec argues to the contrary. Both parties’ positions have some merit and lack some merit. But rather than engage in an evaluation as to whether there is bad faith or gamesmanship taking place (on either side), the Court sees an easier resolution. Axon shall produce the customer

1 information subject to the following protective order: The customer information shall be deemed
2 highly confidential information that may be viewed by outside counsel's eyes only, absent further
3 order of this Court or Judge Kim. Axon shall produce the information within two weeks of the
4 date of this order. Once Axon produces the customer information subject to this protective order,
5 then counsel for Axon shall file a declaration certifying such and will be granted final approval for
6 withdrawal.

7 This order disposes of Docket Nos. 247 and 248.

8

9 **IT IS SO ORDERED.**

10

11 Dated: May 11, 2017

12



EDWARD M. CHEN
United States District Judge

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28