

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

ALLCELLS, LLC,
Plaintiff,
v.
JACK ZHAI, et al.,
Defendants.

Case No. 16-cv-07323-EMC

**ORDER RE EARLY SUMMARY
ADJUDICATION PROCEEDINGS**

Docket Nos. 110-11

Previously, the Court ordered the parties to meet and confer regarding early summary adjudication. *See* Docket No. 98 (minutes). The parties met and conferred but were not able to reach agreement, as reflected in the parties’ filings at Docket Nos. 110 and 111. Having reviewed the parties’ filings, the Court hereby orders as follows.

(1) To the extent AllCells is asking the Court to reconsider its prior ruling permitting an early summary adjudication process, the request is denied.

(2) To the extent AllCells is asking the Court to rule that Defendants are precluded from filing another summary judgment/adjudication motion later in the proceedings (*i.e.*, closer to trial), the request is denied.

(3) As to the process for picking the ten bellwether (alleged) trade secrets, each party shall select five. The Court rejects AllCells’s view that Defendants should pick all ten (“the weakest trade secrets in their view”). Docket No. 110 (Letter at 3). The point of this process is not only to potentially streamline the case but also to potentially encourage settlement and to provide a representative sampling of common or typical issues/scenarios.

(4) The parties shall meet and confer and finalize the ten bellwether (alleged) trade secrets by April 21, 2017.

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

(5) Discovery on the ten bellwether (alleged) trade secrets shall be completed by June 2, 2017.

(6) Defendants shall file their early motion for summary adjudication by June 8, 2017. The hearing on the motion shall be on July 13, 2017, at 1:30 p.m. The briefing schedule shall comply with the Civil Local Rules.

This order disposes of Docket Nos. 110 and 111.

IT IS SO ORDERED.

Dated: March 31, 2017


EDWARD M. CHEN
United States District Judge