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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WAYMO LLC,

No. C 17-00939 WHA

Plaintiff,

v.

**ORDER RE CASE  
MANAGEMENT  
CONFERENCE**

UBER TECHNOLOGIES, INC., *et al.*,

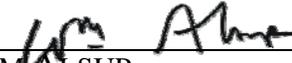
Defendants.

\_\_\_\_\_ /

The Court is concerned that defendants may eventually wish to waive some claims of privilege in order to bolster their defense — for example, by explaining precautions they may have taken at the time of Otto’s acquisition to prevent Waymo’s confidential files from influencing defendants’ LiDAR research and development. To prevent discovery prejudice and waste of resources, defendants shall file a written statement by **JUNE 1 AT NOON** setting forth any waiver of privilege on pain of preclusion thereafter. Waymo may file a response by **JUNE 5 AT NOON**. This issue shall be discussed at the case management conference, which remains set for June 7 at 8:00 a.m. This is without prejudice to any argument that certain waivers of privilege are already too late to avoid discovery prejudice, or that certain claims of privilege should never have been asserted in the first place.

**IT IS SO ORDERED.**

Dated: May 15, 2017.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

United States District Court  
For the Northern District of California