

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

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

WAYMO LLC,

No. C 17-00939 WHA

Plaintiff,

v.

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

**SUPPLEMENT TO ORDERS  
FILED ON MAY 15, 2017**

Defendants.

---

This order supplements two orders filed yesterday as follows:

*First*, in its “Order re Sealing in Connection with Motion for Provisional Relief,” the Court stated, “if either side appeals immediately from the order on Waymo’s motion for provisional relief, they will be obligated to present the redaction issue [regarding the public version of said order] to the court of appeals” (Dkt. No. 435). Any appealing party shall also present to the court of appeals the related issue of whether the Court’s question #2 (regarding a simple “matter of optics”) issued prior to the hearing on Waymo’s motion for provisional relief should remain under seal (*see* Dkt. No. 327).

*Second*, in its “Order re Case Management Conference,” the Court directed defendants to “file a written statement by **JUNE 1 AT NOON** setting forth any waiver of privilege on pain of preclusion thereafter” and gave Waymo until **JUNE 5 AT NOON** to respond to defendants’ statement (Dkt. No. 438). In their respective submissions, both sides should also address what,

United States District Court  
For the Northern District of California

1 if anything, should be said to the jury about subjects covered by any claim of privilege upheld  
2 as valid and not waived by defendants.

3  
4 **IT IS SO ORDERED.**

5  
6 Dated: May 16, 2017.

7   
8 \_\_\_\_\_  
9 WILLIAM ALSUP  
10 UNITED STATES DISTRICT JUDGE  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28