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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC., et al.,
Plaintiffs,
v.
ONLINENIC INC, et al.,
Defendants.

Case No. [19-cv-07071-SI](#) (AGT)
DISCOVERY ORDER
Re: Dkt. Nos. 247, 257, 258, 259

The Court has reviewed the parties’ joint statement regarding outstanding discovery disputes, Dkt. 257, and rules as follows:

1. In light of 35.CN’s representation that “there are currently no documents being withheld due to Chinese law,” the parties’ dispute concerning Chinese law prohibitions, *see* Dkt. 247, is terminated as moot. To the extent 35.CN invokes Chinese law in connection with its forthcoming document productions, plaintiffs may renew their arguments in favor of compelled disclosure.

2. Plaintiffs continue to challenge the adequacy of 35.CN’s responses to RFP Nos. 1–14, 17–26, 40–42, 44–147; RFA Nos. 1–118; and Rog Nos. 1–18. 35.CN reports that it served third amended discovery responses on August, 5, 2022, the day the parties’ joint statement was due, and it also says it has agreed to perform further searches for responsive documents. Plaintiffs understandably did not address the sufficiency of 35.CN’s third amended responses in the joint statement, so it is unclear whether any discussed deficiencies have been remedied.


The parties are ordered to continue to meet and confer to discuss, at a minimum, (1) the sufficiency of 35.CN’s third amended discovery responses, and (2) 35.CN’s forthcoming “batch of corporate/financial documents that it will be producing shortly.” An updated joint statement identifying the discovery disputes that remain outstanding is due by September 9, 2022.

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3. The administrative motions to file under seal, *see* Dkts. 258 & 259, are granted.

IT IS SO ORDERED.

Dated: August 16, 2022



ALEX G. TSE
United States Magistrate Judge