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

JSR MICRO, INC.,

Plaintiff,

v.

QBE INSURANCE CORP., et al.,

Defendants.

No. C-09-03044 PJH (EDL)

**ORDER SETTING BRIEFING
SCHEDULE**

On August 13, 2010, the parties filed a joint letter as required by the Court's August 11, 2010 Order setting forth their positions regarding when they want the Court to address the issue of cost-sharing for Defendants' production of documents under the Court's July 21, 2010 Order. The Court has considered the parties' differing positions in the August 13, 2010 letter as well as the parties' July 2010 letters, and rules as follows.

Defendants shall immediately begin a rolling production of the declaration pages and endorsement listings, if such a list exists, from the 1,499 responsive claims. Although the Court understands that responsive documents may be stored offsite and attorney review of the files may take some time, Defendants' estimate of 45 days for this production does seem unduly lengthy and would run up against the discovery cutoff date. Accordingly, Defendants shall complete production no later than five weeks from the date of this Order. Defendants shall produce approximately one-fifth of the total claims produced each week (if not more, sooner).

Thereafter, Plaintiff shall chose 10% of the claims for which it seeks full production. At that time, and before Defendants engage in any further document production under the July 21, 2010 Order, the Court will decide the issue of cost-sharing. Accordingly, Defendants' Motion regarding cost-sharing shall be filed no later than August 18, 2010. Plaintiff shall file an opposition no later

1 than August 25, 2010. Defendants shall file a reply no later than August 30, 2010. As stated in the
2 August 11, 2010 Order, it appears that the issue can be decided on the papers, so the Court will not
3 schedule a hearing unless it later determines that one is necessary.

4 **IT IS SO ORDERED.**

5 Dated: August 13, 2010

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge

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