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12 Attorneys for Plaintiffs
 13 SEAGATE TECHNOLOGY LLC,
 14 SEAGATE TECHNOLOGY
 15 INTERNATIONAL, SEAGATE
 16 SINGAPORE INTERNATIONAL
 17 HEADQUARTERS PTE LTD

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 OAKLAND DIVISION

21 SEAGATE TECHNOLOGY LLC, a
 22 Delaware corporation,
 23 SEAGATE TECHNOLOGY
 24 INTERNATIONAL, a Cayman Islands
 25 Company; SEAGATE SINGAPORE
 26 INTERNATIONAL HEADQUARTERS
 27 PTE LTD, a Singapore corporation,

28 Plaintiffs,

vs.

29 NATIONAL UNION FIRE INSURANCE
 30 COMPANY OF PITTSBURGH, PA, a
 31 Pennsylvania corporation; INSURANCE
 32 COMPANY OF THE STATE OF
 33 PENNSYLVANIA, a Pennsylvania
 34 corporation,

35 Defendants.

Case No. 4:09-cv-04120-CW

~~PROPOSED~~ ORDER REGARDING
 DEPOSITION OF MARY McCUTCHEON

36 The Court received and reviewed the parties' joint dispute letter regarding the deposition
 37 of Mary McCutcheon, filed on August 25, 2010. The parties then participated in a telephonic

1 hearing with the Court on Friday, September 3, 2010. Plaintiffs Seagate Technology LLC,
2 Seagate Technology International, and Seagate Singapore International Headquarters PTE Ltd.
3 (“Seagate”) were represented by Tyler Gerking. Defendants Insurance Company of the State of
4 Pennsylvania (“ISOP”) and National Union Fire Insurance Company of Pittsburgh, PA (“National
5 Union”) were represented by Stephen Kovarik.

6 Upon consideration of the parties’ positions, the Court ORDERS as follows:

7 1. Defendants ISOP and National Union may not depose Seagate’s counsel, Mary
8 McCutcheon, unless and until Seagate identifies Ms. McCutcheon as a witness to testify at trial in
9 the above-referenced lawsuit.

10 2. If Seagate decides to have Ms. McCutcheon testify as a witness at trial, Seagate
11 shall give notice to Defendants of such intention and produce Ms. McCutcheon for deposition at
12 least 60 days prior to the first day of trial.

13 IT IS SO ORDERED.

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Dated: September 13, 2010



JUDGE MARIA ELENA JAMES
Chief United States Magistrate Judge

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PROOF OF SERVICE

I, the undersigned, declare that I am a resident of the State of California, employed in the County of San Francisco, over the age of eighteen years and not a party to the within action. My business address is: Farella Braun + Martel LLP, 235 Montgomery Street, 17th Floor, San Francisco, California 94104.

On this date I served the within document(s):

[PROPOSED] ORDER REGARDING DEPOSITION OF MARY McCUTCHEON

X BY ELECTRONIC FILING: the within document(s), the automatically generated notification for which constitutes service pursuant to General Order 45, Section IX(A) and (B).

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X MAIL: by placing a true copy thereof, addressed as set forth below and enclosed in a sealed envelope with postage thereon fully prepaid and deposited for collection and mailing with the U.S. Postal Service. I am readily familiar with the ordinary business practice of this office for processing mail.

X ELECTRONIC TRANSMISSION: a true and correct copy transmitted to each of the parties at the electronic notification address last given by said party on any document which he or she has filed in this action and served upon this office.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed in San Francisco, California on **September 10, 2010**.

/s/ Lawrence L. Coles
Lawrence L. Coles