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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABSTRAX, INC.,

Plaintiff,

No. C 09-5243 PJH

v.

ORDER

SUN MICROSYSTEMS, INC.,

Defendant.

_____ /

The court is in receipt of a stipulation and proposed order re briefing dates for proposed cross-motions to be filed by the parties in the above-entitled action. According to the stipulation, these are Abstrax’s motion for “case-dispositive sanctions” against Sun, and alternative motion for further discovery and evidentiary sanctions; and Sun’s motion for protective order. The parties claim that the issues raised by the proposed motions “overlap substantially.”

As it appears to the court that the proposed motions are discovery-related, this matter is referred to a Magistrate Judge pursuant to Civil Local Rule 72-1 for resolution of the proposed motions, and any future discovery disputes. In addition, to the extent that the proposed motions raise any potentially case-dispositive issue (i.e., a request for terminating sanctions for discovery-related behavior), the matter is referred for a report and recommendation.

The parties will be advised of the date, time and place of appearance by notice from the assigned magistrate judge.

IT IS SO ORDERED.

Dated: May 2, 2011



PHYLLIS J. HAMILTON
United States District Judge

United States District Court
For the Northern District of California