

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

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TV INTERACTIVE DATA CORPORATION, a
California Corporation,

Plaintiff,

v.

SONY CORPORATION; SONY COMPUTER
ENTERTAINMENT INC.; SONY COMPUTER
ENTERTAINMENT AMERICA, INC.; SONY
CORPORATION OF AMERICA; SONY
ELECTRONICS, INC.; ROYAL PHILIPS
ELECTRONICS N.V.; PHILIPS ELECTRONICS
NORTH AMERICA CORPORATION; TOSHIBA
CORPORATION; TOSHIBA AMERICA, INC.;
TOSHIBA AMERICA CONSUMER PRODUCTS,
L.L.C.; VICTOR COMPANY OF JAPAN, LTD.; JVC
AMERICAS CORP.; FUNAI ELECTRIC CO., LTD.;
FUNAI CORPORATION, INC.; P&F USA, INC.,

Defendants.

Case No. C 10-00475 PJH

**STIPULATION AND
[PROPOSED]
ORDER/COMMISSION FOR
DEPOSITIONS TO BE TAKEN IN
JAPAN**

**DEPONENT:
TOSHIBA CORPORATION**

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

JOINT STIPULATION

Beginning December 6, 2011, TV Interactive Data Corp. (“TVI”) will begin depositions of certain witnesses from Toshiba Corporation (“Toshiba”) at the U.S. Embassy in Tokyo. TVI and Toshiba hereby submit and jointly stipulate to the following Proposed Order/Commission for Depositions to be Taken in Japan.

FOR PLAINTIFF TV INTERACTIVE DATA CORP.

ROBINS, KAPLAN, MILLER & CIRESI,
L.L.P.

By: /s/ Victor C. Chan
Sang Young A. Brodie (pro hac vice)
E-mail: sybrodie@rkmc.com
Richard M. Martinez (pro hac vice)
E-mail: rmmartinez@rkmc.com
Trevor J. Foster (pro hac vice)
E-mail: tjfoster@rkmc.com
Victor C. Chan (pro hac vice)
E-mail: vcchan@rkmc.com

Dated: November 7, 2011

FOR DEFENDANT TOSHIBA CORPORATION

DLA PIPER LLP

By: /s/ Ronald L. Yin
Ronald L. Yin
E-mail: ronald.yin@dlapiper.com
Mark D. Fowler
E-mail: mark.fowler@dlapiper.com
Gerald T. Sekimura
E-mail: gerald.sekimura@dlapiper.com
Erik R. Fuehrer
E-mail: erik.fuehrer@dlapiper.com
Carrie Lynn Williamson
E-mail: carrie.williamson@dlapiper.com

Dated: November 7, 2011

1 I, Victor C. Chan, am the ECF user whose User ID and Password are being utilized in the
2 electronic filing of the STIPULATION AND [PROPOSED] ORDER/COMMISSION FOR
3 DEPOSITIONS TO BE TAKEN IN JAPAN. Pursuant to the Northern District of California's
4 General Order 45(X)(B), I attest that concurrence in the filing has been obtained from Ronald L.
5 Yin.

6 Dated: November 7, 2011

/s/ Victor C. Chan
Victor C. Chan

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **[PROPOSED] ORDER/COMMISSION FOR DEPOSITIONS TO BE TAKEN IN JAPAN**

2 TO: ANY CONSUL OR VICE CONSUL OF THE UNITED STATES OF AMERICA
3 AT TOKYO, JAPAN

4 Upon the application of Complainant TV Interactive Data Corporation (“TVI”), in *TVI*
5 *Data Corp. v. Sony Corp., et al.*, Inv. No. 10-00475, before the U.S. District Court for the
6 Northern District of California, and pursuant to Article 17 of the United States – Japan Consular
7 Convention,

8 **IT IS ORDERED THAT** the depositions on notice of the following volunteering
9 witnesses be taken at the U.S. Embassy in Tokyo, Japan commencing on or about December 6,
10 2011, at 8:30 a.m. and terminating on or about December 22, 2011 at 4:00 p.m., and that any
11 documentary exhibits in connection therewith be marked:

12 **1. Fed. R. Civ. P. 30(b)(6) deposition of Toshiba Corporation**

13 **Toshiba Corporation**

14 1-1, Shibaura 1-chome, Minato-ku
15 Tokyo, 105-8001, Japan

16 Potential witnesses for the Fed. R. Civ. P. 30(b)(6) deposition Toshiba Corporation
include the following:

17 Reiko Kawachi
18 Tadayuki Tanie
19 Hajime Suda
20 Hiroyasu Oogo
Akira Takei
21 Nobumasu Naito

22 **2. Fed. R. Civ. P. 30(b)(1) depositions of individuals**

23 Potential witnesses for depositions under Fed. R. Civ. P. 30(b)(1) include:

24 Reiko Kawachi
25 Tadayuki Tanie
26 Hajime Suda
27 Hiroyasu Oogo
Akira Takei
Nobumasu Naito

28 Counsel for Defendant Toshiba Corporation who will participate in said depositions are

1 Ronald L. Yin, Mark D. Fowler, Gerald T. Sekimura, Erik R. Fuehrer, Carrie L. Williamson, and
2 Saori Kaji.

3 Members of Toshiba Corporation's Intellectual Property Department that may attend the
4 depositions include Yuriko Hiroko, Masatoshi Akimoto, Masatsugu Mukuge, Takeshi Tamashiro,
5 and Minoru Asada.

6 Counsel for TVI who will participate in said depositions are Richard M. Martinez, Sang
7 Young A. Brodie, Trevor J. Foster, and Victor C. Chan. In addition, Quynh Nguyen, James
8 Tornes and Andrew Wolfe may attend on behalf of TVI.

9 Jared Taylor will act as interpreter.

10 The proceedings will be recorded by Christopher Sheppard Hanlon, Lee Anthony Bowry,
11 Peter Wai Kwong Au, Jeffrey Marc Menton, Randell Buckler, Deborah Marshall, Jodi Harmon,
12 Lawrence Paul Nelson, Melanie Louise Giamarco, Tracey LoCastro and/or Randi Birnhak with
13 American Realtime Court Reporters & Videographers. Please cause the testimony of said
14 witnesses to be recorded by video and reduced to writing; the depositions to be signed by said
15 witnesses; said deposition testimony to be annexed to your Commission and closed under your
16 seal; and the return of these materials to this Court with all convenient speed.

17
18
19
20
21
22
23
24
25
26
27
28

1 WITNESS, the Honorable Phyllis J. Hamilton, United States Judge of the United States District
2 Court, Northern District of California, this 8th day of November 2011.



3
4 _____
Honorable Phyllis J. Hamilton
United States Judge
United States District Court
Northern District of California
Oakland Courthouse, Courtroom 3 – 3rd Floor
1301 Clay Street
Oakland, CA 94612

5
6
7
8 I hereby certify that the signature above is that of the Honorable Phyllis J. Hamilton, United
9 States Judge of the United States District Court, Northern District of California.

10 _____ Clerk of the Court

11 By: _____

12 Deputy Clerk: _____

13 Seal:
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28