

United States District Court
For the Northern District of California

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NOT FOR CITATION

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

BACKWEB TECHNOLOGIES, LTD.,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY, et al.,

Defendant.

No. CV 10-4311 PJH (NJV)

**ORDER FINDING MOOT AND
GRANTING WITHDRAWAL OF
DEFENDANT’S MOTION FOR A
PROTECTIVE ORDER AND
PLAINTIFF’S MOTION TO COMPEL**

(Docket Nos. 49, 54 & 60)

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This is an action for patent infringement. Plaintiff BackWeb Technologies, Ltd. alleges that Defendant Hewlett-Packard Company (“HP”) infringes three of its patents: U.S. Patent Nos. 5,913,040 (“the ’040 Patent”); 6,539,429 (“the ’429 Patent”); and 6,317,789 (“the ’789 Patent”). On February 14, 2011, HP filed a motion for a protective order to relieve HP from complying with two Federal Rule of Civil Procedure 30(b)(6) depositions noticed by BackWeb. Doc. No. 49. On February 15, 2011, the district court referred HP’s motion for a protective order and all future discovery to this Court. Doc. No. 52. On March 9, 2011, BackWeb filed its response to HP’s motion and a cross-motion to compel the Rule 30(b)(6) deposition topics. Doc. No. 54. The Court granted the parties’ stipulation shortening time to simultaneously hear BackWeb’s cross-motion with HP’s motion for a protective order set for hearing on March 30, 2011. Doc. No. 57.

On March 29, 2011, the parties filed a joint motion to withdraw HP’s motion for a protective order and BackWeb’s cross-motion to compel because the parties have resolved the discovery

1 dispute. Doc. No. 60. Therefore, HP's motion for a protective order and BackWeb's cross-motion
2 to compel are now moot. The Court grants the joint motion to withdraw and the hearing set for
3 March 30, 2011 is vacated.

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5 **IT IS SO ORDERED.**

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8 Dated: March 29, 2011



NANDOR J. VADAS
United States Magistrate Judge

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