

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

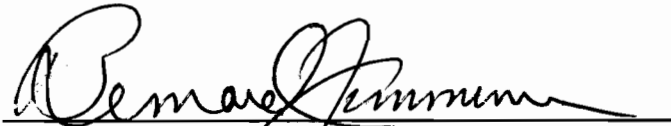
SUCCESSFACTORS INC.,)	
)	
Plaintiff(s),)	No. C10-5471 SBA (BZ)
)	
v.)	
)	FOURTH DISCOVERY ORDER
HALOGEN SOFTWARE INC.,)	
)	
Defendant(s).)	
_____)	

For some months, the parties have been disputing the adequacy of plaintiff's identification of its trade secrets as required by California Civil Code § 2019.210. At the Court's urging, Successfactors has substantially expanded its initial identification. At the same time, portions of the identification are so general and conclusory, that the Court understands defendant's concern that it not be surprised should plaintiff further expand its identification at trial. **IT IS THEREFORE ORDERED** that should plaintiff wish to expand its identification of trade secrets, it must do so by **June 24, 2011**. **IT IS FURTHER ORDERED** that plaintiff is precluded from introducing at trial or at any pretrial proceeding information

1 about a trade secret that has not been identified by **June 24,**
2 **2011,** unless plaintiff can show in good faith that it was not
3 aware on **June 24, 2011** that this particular trade secret had
4 been stolen by defendant.

5 As one example, plaintiff identifies as a trade secret
6 that its sales representatives are "trained to determine which
7 individuals . . . are the key stakeholders" in a customer's
8 decision to purchase its products. Response to interrogatory
9 no. 11, page 8, lines 11-12. The intent of this ruling is to
10 preclude plaintiff from later identifying particularized
11 aspects of such training which it claims defendant stole.

12 Dated: June 20, 2011

13
14 
15 Bernard Zimmerman
16 United States Magistrate Judge

17 G:\BZALL\REFS\SUCCESSFACTORS V. HALOGEN\DISC ORD 4.wpd