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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LML HOLDINGS, INC.,

Plaintiff,

vs.

PACIFIC COAST DISTRIBUTING INC. *et al.*,

Defendant(s).

Case No.: 11-CV-06173 YGR

ORDER REGARDING ISSUES FOR APRIL 5,
2013 HEARING

Claim Construction Canceled: The parties are advised that the Court will not be conducting an early *Markman* hearing or claim construction. Based on the parties' briefs, it is not apparent that the claims should be construed outside of the context of jury instructions, or possibly summary judgment.

Outstanding Discovery Issues: In light of that ruling, the parties are **ORDERED** to meet and confer again on the outstanding discovery issues. To the extent that any issues remain, the parties shall concisely summarize all remaining issues that counsel were unable to resolve in **one joint letter brief** to be filed by no later than **12:00 p.m. on Thursday, April 4, 2013**. Additionally, the parties must provide the Court with a form of order on all issues on which the Court must rule.

The parties are advised that, in general, the discovery sought should be provided. The Court will take no further action on the parties' Discovery Letter Briefs (Dkt. Nos. 91 & 92). The parties are expected to comply with the Court's standing order on discovery disputes in the future.

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Summary Judgment Letter: If Plaintiff still seeks leave to file a summary judgment motion, by no later than **5:00 p.m.** on **Tuesday, April 2, 2013**, Plaintiff must file another letter that explains the grounds for the motion so that Defendants can file a written response addressing the substance of the letter. Defendants' written response shall be due by **5:00 p.m.** on **Thursday, April 4, 2013.**

This Order Terminates Docket Numbers 91 & 92.

IT IS SO ORDERED.

Date: March 29, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE