

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
OAKLAND DIVISION**

ANGIOSCORE, INC.,

 Plaintiff,

 v.

TRIREME MEDICAL, INC., EITAN
KONSTANTINO, and QUATTRO
VASCULAR PTE LTD.,

 Defendants.

AND RELATED COUNTER-CLAIMS.

Case No. 4:12-cv-3393-YGR

**~~[PROPOSED]~~ CORRECTED MODIFIED
ORDER RE PLAINTIFF ANGIOSCORE,
INC.'S MOTION TO COMPEL
PRODUCTION OF UNREDACTED
DOCUMENTS**

The Hon. Yvonne Gonzalez Rogers

1 Pursuant to the parties' jointly submitted letter brief regarding the issues in
2 dispute concerning Defendant TriReme Medical, Inc.'s ("TriReme") redacted
3 production of documents in response to Plaintiff AngioScore, Inc.'s ("AngioScore")
4 Request for Production of Documents No. 39, and for the reasons set forth at the
5 telephonic hearing on the motion, the Court hereby **GRANTS** Plaintiff
6 AngioScore's Motion to Compel Production of Unredacted Documents (Dkt. No.
7 73), subject to the restrictions below.

8
9 **IT IS THEREFORE ORDERED:**

10
11 (1) That Defendant TriReme shall produce to AngioScore's outside
12 counsel unredacted copies of all redacted documents previously produced in
13 response to Request for Production of Documents No. 39 on or before Friday,
14 August 2, 2013;

15
16 (2) That all such unredacted documents produced by TriReme shall be
17 treated as "Confidential-Attorneys' Eyes Only" by outside counsel for AngioScore
18 and shall not be disclosed to AngioScore;

19
20 (3) That counsel for AngioScore, shall not directly contact, or arrange for
21 any contact, of any of Defendant TriReme's customers¹ disclosed in discovery,
22 except as authorized by the Court; and

23
24
25
26 _____
27 ¹ "Customers" as herein defined shall mean any individual or entity that has used or
28 purchased a Chocolate PTA Balloon Catheter in the United States directly from Defendant
TriReme between January 1, 2010 to the present.

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


(4) If counsel for AngioScore believes it has good cause to contact, or arrange for any contact, of any customer identified by TriReme in discovery, the parties shall meet and confer to come to an agreement relating to the protocol governing customer contact. Should the parties be unable to agree on an appropriate protocol, AngioScore may file a request for discovery relief pursuant to Sec. 8(b) of this Court's Standing Order in Civil Cases, dated Nov. 15, 2012.

While the Court declines to issue an order with respect to matters not currently before it, the parties should consider this order in resolving future issues. The parties are advised that requiring further Court intervention as a result of unreasonable discovery positions may result in sanctions.

This Order Terminates Docket Number 73.

IT IS SO ORDERED.

Date: July 25, 2013


The Honorable Yvonne Gonzalez Rogers
United States District Court Judge