

1
2
3
4
5
6
7
8
9
10
11

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

**JONGERIUS PANORAMIC TECHNOLOGIES,
LLC,**

Plaintiff(s),

vs.

GOOGLE INC. et al.,

Defendant(s).

Case No.: 12-CV-03797 YGR

ORDER ON DISCOVERY LETTER BRIEF

12 The Court has reviewed the parties' Statement of Discovery and Case Management Issues
13 (Dkt. No. 122) and makes the following rulings:

14 (1) The scope of Defendants' Phase I production obligations: To the extent requested, the
15 Court is not inclined to Order Defendants to produce all of the documents identified in Exhibit A.

16 (2) The identification of individuals on Google's initial disclosures: Google must supplement
17 its initial disclosures to provide the name of each individual likely to have discoverable information.¹

18 (3) The bifurcation of discovery related to damages: Damages discovery is **STAYED** pending
19 further Order of the Court.

20 (4) The scheduling of motions for summary judgment of non-infringement: The request to file
21 an early motion for summary judgment regarding non-infringement is **DENIED**.

22 (5) Specific provisions in the Parties' Protective Order:

- 23 • The Court Adopts Plaintiff's language in paragraphs: 7.4(a), 8(A), 8(B) & 9(d);
- 24 • The Court Adopts Defendants' language in paragraphs: 8(C) & 9(c);
- 25 • With respect to paragraph 9(e), the limitation on copies is four (4).

26
27 ¹ Pursuant to Rule 26(a)(1) Google must disclose "the name and, if known, the address and telephone number
28 of each individual likely to have discoverable information—along with the subjects of that information—that
the disclosing party may use to support its claims or defenses." Fed. R. Civ. P. 26(a)(1). Failing to disclose
may lead to exclusion of withheld material, whether to support a motion or at trial.

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

In the future, the parties must provide the Court with a form of order on all issues on which the Court must rule.

The Court will take no further action on the parties' Statement of Discovery and Case Management Issues. To the extent that there are other issues that remain, the parties are ordered to meet and confer to resolve those issues. The parties are expected to comply with the Court's standing order on discovery disputes.

This Order terminates Dkt. No. 122.

IT IS SO ORDERED.

Dated: December 18, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE