

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NETLIST, INC.,  
  
Plaintiff,  
  
vs.  
  
SMART STORAGE SYSTEMS, INC., SANDISK CORPORATION, AND DIABLO TECHNOLOGIES, INC.,  
  
Defendants.

Case No.:13-cv-5889-YGR  
  
**ORDER GRANTING MOTION OF McDERMOTT WILL & EMERY LLP, TO WITHDRAW AS COUNSEL FOR DEFENDANT DIABLO TECHNOLOGIES, INC., AND CONTINUING COMPLIANCE RE: CASE STATUS**

United States District Court  
Northern District of California


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The Court has received the motion of McDermott Will & Emery LLP to withdraw from representation of defendant Diablo Technologies Inc. in the above-captioned action, as well as the supplemental declaration of Daniel E. Alberti, filed September 5, 2018, in support of the motion. (Dkt. Nos. 357, 362.)

The Court having read and considered the moving papers and supplemental papers, and all other matters relevant to the motion, and good cause appearing, the motion of McDermott Will & Emery LLP to withdraw from representation of defendant Diablo Technologies Inc. is **GRANTED** effective **September 25, 2018**. Counsel shall serve a copy of this Order and Notice upon Diablo’s bankruptcy trustee, Ernst and Young, Inc.

The case is currently set for a compliance hearing on September 25, 2018, at 2:01 p.m. regarding the status of *inter partes* review proceedings. The compliance hearing is **CONTINUED** to Friday, **October 19, 2018**, at 9:01 a.m. Five business days prior to the compliance hearing, plaintiff Netlist Inc. and represented defendants Smart Storage Systems, Inc. and SanDisk, LLC shall file a **joint** status report regarding the status of the *inter partes* review proceedings, and next steps to be taken in light of unrepresented-defendant Diablo’s bankruptcy.

**IT IS SO ORDERED.**  
Dated: September 19, 2018

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE