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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**NETLIST, INC.,**  
Plaintiff,  
**VS.**  
**DIABLO TECHNOLOGIES, INC.,**  
Defendant.

Case No.: 13-cv-5962 YGR  
**PRETRIAL ORDER No. 4**

The Court, having reviewed the parties' submissions, issues the following orders:

**I. DEPOSITION DESIGNATIONS**

Diablo's objection to the deposition of John Vincent at 97:1-22 (No. 4) is **SUSTAINED**. All other objections to Netlist's designations of the depositions of John Vincent and Michael Takefman by Diablo are **OVERRULED**.

Netlist's objections to the deposition of Gail Sasaki are **SUSTAINED IN PART** as to 101:21-102:12, and 130:16:25 (Nos. 5 and 6). Netlist's objections to the deposition of Mario Martinez at 68:25-69:25, and 70:9-24 (Nos. 8 and 9) are **SUSTAINED**. All other objections to Diablo's designations of the depositions of Sujoy Ray, John Vincent, Gail Sasaki, and Mario Martinez by Netlist are **OVERRULED**.

**II. MOTIONS IN LIMINE**

**A. Netlist's Motion in Limine to Exclude Evidence Regarding Financing and Licensing**

The Court has reviewed Defendant Diablo's Offer of Proof Relating to the financial and licensing information Diablo seeks to admit. To the extent not otherwise ruled upon, the Court

United States District Court  
Northern District of California

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**RESERVES** ruling until it determines the manner, purpose, and method by which the documents are offered into evidence at trial.

**B. Diablo’s Motion in Limine No. 1 (Anonymous Letter)**


The parties are referred to the Court’s ruling on the deposition designations, above. This appears to resolve the remaining matters at issue in this motion in limine.

**C. Diablo’s Motion in Limine No. 4 (HyperVault’s Use of Trade Secrets)**

Having reviewed the proffer submitted by Netlist, the motion in limine is **DENIED**.

**IT IS SO ORDERED.**

Dated: March 5, 2015

  
**HON. YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT JUDGE**