Callwave Communications, LLC v. WaveMarket, Inc. Doc. 47

UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

CALLWAVE COMMUNICATIONS, LLC,

Petitioner,

v.

WAVEMARKET, INC. D/B/A LOCATION LABS,

Respondent.

_____/

No. C 14-80112 JSW (LB)

ORDER REGARDING CALLWAVE AND LOCATION LABS' JOINT DISCOVERY DISPUTE LETTER DATED DECEMBER 15, 2014

[Re: ECF No. 43]

The court grants Callwave's motion for discovery of the documents that Location Labs gave to AVG as part of AVG's due diligence in its acquisition of Location Labs. Location Labs says that it already produced 714 pages and argues that doing even that has been unduly burdensome, but this assertion is made without support. It also asserts that the documents are irrelevant, but it does not rebut Callwave's argument that the information is relevant to two of the *Georgia Pacific* factors. Finally, Location Labs does not provide any context for its assertion of the common interest privilege, nor does it show that the documents are privileged in the first place. The court's extensive prior discovery and case management hearings also provide context for this outcome.

The court denies Location Lab's motion for further costs.

IT IS SO ORDERED.

Dated: December 23, 2014

LAUREL BEELER
United States Magistrate Judge

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