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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE SUBPOENAS TO INTEL  
CORPORATION,

Case No. [4:17-mc-80099-KAW](#)

**ORDER DENYING INTEL  
CORPORATION'S MOTION TO FILE  
SUR-REPLY; ORDER REQUIRING  
SUPPLEMENTAL LETTER; ORDER  
CONTINUING HEARING DATE**

Re: Dkt. No. 40

On September 15, 2017, Intel Corporation filed a motion to file a sur-reply to TQ Delta’s motion to compel on the grounds that the reply included new arguments and new requests for discovery. (Dkt. No. 40.) TQ Delta opposed the motion. (Dkt. No. 41.) Upon review of the administrative motion and the moving papers, the Court finds that TQ Delta, rather than impermissibly raising new arguments on reply, merely responded to Intel’s opposition and factually stated that it may require depositions going forward. Accordingly, Intel’s motion to file a sur-reply is DENIED.

Notwithstanding, given the thousands of pages that have been produced by Intel since the filing of the motion to compel, including several documents that TQ Delta confirms are “highly relevant,” the parties are ordered to further meet and confer—specifically, regarding the remaining documents identified in TQ Delta’s reply— in an attempt to narrow the scope of the dispute. (*See* Reply, Dkt. No. 33-4 at 12.) Should the parties be unable to resolve the dispute in its entirety, they shall file a joint letter to inform the Court of the remaining documents TQ Delta still seeks to compel, not to exceed 8 pages, on or before November 22, 2017.<sup>1</sup>

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<sup>1</sup> The parties may cite to prior filings using docket, page, and line numbers, but the Court would appreciate if the letter would, to the extent possible, encompass the entire, remaining dispute.

1 To facilitate the Court’s resolution of any remaining disputes, the joint letter shall be in the  
2 format outlined in the undersigned’s Standing Order:

3 **A. Request No. 2<sup>2</sup>**

4 [Summarize the issue and reproduce the request.]

5 TQ Delta’s Position

6 [TQ Delta’s position outlining why Intel’s response or position is deficient  
7 and the relief requested.]

8 Intel’s Position

9 [Intel’s rationale as to why it has fully responded to the request, etc.]

10 **B. Request No. 3**

11 [Summarize the issue and reproduce the request.]

12 TQ Delta’s Position

13 [TQ Delta’s position outlining why Intel’s response or position is deficient  
14 and the relief requested.]

15 Intel’s Position

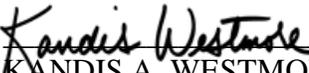
16 [Intel’s rationale as to why it has fully responded to the request, etc.]

17 (See Judge Westmore’s General Standing Order ¶ 13.)

18 Thus, the November 16, 2017 hearing on the motion to compel is continued to December  
19 7, 2017.

20 IT IS SO ORDERED.

21 Dated: November 7, 2017

22   
KANDIS A. WESTMORE  
23 United States Magistrate Judge

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28 <sup>2</sup> Alternatively, the parties may use document categories or firmware specifications, such as those  
contained in TQ Delta’s Reply. (Reply at 12.)