

1 BRADLEY ARANT BOULT CUMMINGS LLP  
T. Parker Griffin, Admitted *Pro Hac Vice*  
2 J. Mark Adams, Jr., Admitted *Pro Hac Vice*  
1819 Fifth Avenue North  
3 Birmingham, AL 35203  
Telephone: 205-521-8000  
4 Email: pgriffin@bradley.com  
Email: madams@bradley.com

5  
6 FINESTONE HAYES LLP  
Jennifer C. Hayes (197252)  
Ryan A. Witthans (301432)  
7 456 Montgomery Street, 20th Floor  
San Francisco, California 94104  
8 Telephone: (415) 616-0466  
Facsimile: (415) 398-2820  
9 Email: jhayes@fhlawllp.com  
Email: rwiththas@fhlawllp.com

10 Counsel for Judgment Creditor,  
11 DEPCOM Power, Inc.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 OAKLAND DIVISION

15 DEPCOM POWER, INC., a Delaware  
corporation,

16 Plaintiff and Judgment Creditor,  
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18 vs.

19 CSUN SOLAR, INC., a California  
corporation, and CHINA ELECTRIC  
20 EQUIPMENT GROUP CO. LTD., a Chinese  
entity,  
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22 Defendants and Judgment Debtors,  
and  
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24 SUNERGY CALIFORNIA LLC,

25 Intervenor and Alleged Alter Ego.  
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Case No. 4:18-cv-00729-JST (JCS)

**[PROPOSED] AMENDED ORDER TO  
SHOW CAUSE RE DISCOVERY  
SANCTIONS**

Hearing:

Date: November 22, 2019  
Time: 9:30 AM  
Place: 450 Golden Gate Ave.  
Floor 15, Courtroom G  
San Francisco, CA 94102

1 On October 8, 2019, the Court entered its Order Following Discovery Hearing (the  
2 “Order”). ECF 128. The Order required China Sunergy (US) Clean Tech Inc. (“CSUN Clean  
3 Tech”) to comply with DEPCOM Power, Inc.’s (“DEPCOM”) subpoena dated August 6, 2019  
4 (the “Subpoena”), and to produce documents required by that subpoena on or before October 25,  
5 2019.

6 On October 30, 2019, DEPCOM filed its Notice of Noncompliance with Order Following  
7 Discovery Hearing (ECF 128) and Request for Entry of Order to Show Cause re Discovery  
8 Sanctions (the “Request for OSC”). The Court, having read and considered the Request for OSC  
9 and the supporting declaration, and upon due consideration and good cause appearing, the Court  
10 hereby orders as follows:

11 1. CSUN Clean Tech is ordered to show cause on **November 22, 2019, at 9:30 AM,**  
12 **in Courtroom G, 15<sup>th</sup> Floor, 450 Golden Gate Avenue, San Francisco, CA, 94102,** why they  
13 should not be held in contempt of Court, and be subject to other sanctions including but not limited  
14 to attorneys’ fees and costs, for its failure to comply with the Order.

15 2. Plaintiff is **ORDERED** to serve a copy of this order on CSUN Clean Tech in the  
16 manner provided under the Federal Rule of Civil Procedure within seven (7) days of the date of  
17 this Order.

18 **IT IS SO ORDERED.**

19  
20 Dated: November 6, 2019

  
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21 JOSEPH C. SPERO  
22 CHIEF MAGISTRATE JUDGE  
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