

1
2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 CYNTEC COMPANY, LTD.,

6 Plaintiff,

7 v.

8 CHILISIN ELECTRONICS CORP., et al.,

9 Defendants.
10

Case No. 18-cv-00939-PJH

**ORDER RE DISCOVERY LETTER
BRIEF**

Re: Dkt. No. 303

11
12 Before the court is a discovery letter brief filed by the parties in the above-
13 captioned case. See Dkt. 303. In the letter, Chilisin requests that the court re-open
14 discovery post-trial and order Cyntec to supplement its discovery responses. Chilisin's
15 request is based on an email produced by Cyntec during discovery that references a
16 "Master Development and Supply Agreement" ("MDSA") with Apple.

17 Importantly, the email that gives rise to Chilisin's request has been in Chilisin's
18 possession since at least January 10, 2020, the date on which fact discovery closed.
19 Chilisin's request to re-open discovery at this late stage is not only untimely, but also
20 shows a lack of diligence by Chilisin in failing to pursue the discovery before trial.
21 Moreover, it is highly speculative to argue that, if the MDSA were to be produced, it would
22 show that Chilisin's activity was protected under a licensing or similar non-assertion
23 provision. Accordingly, Chilisin's request to re-open discovery is DENIED. The current
24 deadlines for post-trial briefing shall remain in place.

IT IS SO ORDERED.

25 Dated: December 17, 2021

26
27 /s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge

United States District Court
Northern District of California

28