## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

ADVANCED MICROTHERM, INC., et al.,)

Plaintiffs,

V.

NORMAN WRIGHT MECHANICAL
EQUIP. CORP., et al.,

Defendants.

Case No.: C 04-2266 JW (PVT)

ORDER Continuing Hearing and Scheduling Supplemental Joint Briefing

Further Written Response and Production of Documents in Response to Plaintiffs' Request for Production of Documents, Set:3. After the opposition and reply papers were filed, and after District Judge Ware issued an order granting partial summary judgment in favor of Defendant Norman Wright Mechanical Equipment Corp. ("Norman Wright"), Norman Wright filed a supplemental brief. While Norman Wright failed to seek court approval to file the supplemental brief as required by Civil Local Rule 7-3(c), the court nonetheless finds it appropriate to consider the supplemental brief, continue the hearing, and solicit further meet and confer and briefing by the parties. Therefore,

On September 14, 2009, Plaintiffs filed a Motion to Compel Norman Wright to Provide

IT IS HEREBY ORDERED that the hearing on Plaintiff's motion to compel is CONTINUED to November 17, 2009.

IT IS FURTHER ORDERED that the parties shall promptly meet and confer regarding the sufficiency of Norman Wright's supplemental production, as well as regarding the impact of Judge

Ware's order on the scope of discovery.

IT IS FURTHER ORDERED that, no later than November 10, 2009, Plaintiffs and Norman Wright shall file a joint supplemental brief setting forth for each request that remains in dispute the parties' respective positions with regard to the adequacy of Norman Wright's production. Each request must be set forth separately, followed first by Plaintiffs' position and then by Norman Wright's position.

Dated: 10/19/09

United States Magistrate Judge