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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ADVANCED MICROTHERM, INC., et al.,
Plaintiff,
v.
NORMAN WRIGHT MECHANICAL
EQUIP. CORP., et al.,
Defendant.

Case No. C 04-2266 JW (PVT)

**INTERIM ORDER RE PLAINTIFFS’
MOTION TO COMPEL OBEDIENCE WITH
PRIOR COURT ORDER REQUIRING F.W.
SPENCER & SON, INC. TO PRODUCE
SPECIFIED ELECTRONIC ACCOUNTING
DOCUMENTS AND E-MAILS IN
REASONABLE USABLE FORM AND
REQUEST FOR EVIDENTIARY AND
MONETARY SANCTIONS**

On December 28, 2009, Plaintiffs filed a Motion to Compel Obedience with Prior Court Order Requiring F.W. Spencer & Son, Inc. to Produce Specified Electronic Accounting Documents and E-Mails in Reasonable Usable Form and Request for Evidentiary and Monetary Sanctions. Defendant F.W. Spencer & Son, Inc. (“F.W. Spencer”) opposed the motion. Having reviewed the papers submitted by the parties, the court finds it appropriate to issue this interim order. Based on the moving, opposition and reply papers submitted,

IT IS HEREBY ORDERED that no later than April 12, 2010, Plaintiffs and Defendant F.W. Spencer shall engage in an in person meet and confer session, with their respective designated computer experts in attendance, at Defendant F.W. Spencer’s facilities with access to F.W. Spencer’s computer system as necessary for the purpose of determining what information is available and what kind of reports can be generated. Absent agreement of the parties to the contrary, Defendant .F.W. Spencer’s computer expert shall be solely in charge of actually operating the computer. No

1 information shall be redacted from any sample reports run during this meet and confer session.

2 IT IS FURTHER ORDERED that the hearing on this motion is CONTINUED to 10:00 a.m.
3 on April 27, 2010. No later than April 20, 2010 Plaintiffs and F.W. Spencer shall file supplemental
4 briefs setting forth their respective positions regarding the outcome of the meet and confer efforts.
5 Plaintiff's and F.W. Spencer's computer experts shall appear at the hearing. In the event this hearing
6 date creates a scheduling conflict for counsel or either of the computer experts, the parties shall
7 promptly contact chambers (at 408-535-5434) to schedule a different hearing date.

8 Dated: *March 26, 2010*

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11 PATRICIA V. TRUMBULL
12 United States Magistrate Judge
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