

United States District Court
For the Northern District of California

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E-Filed 10/14/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE EBAY SELLER ANTITRUST
LITIGATION

No. C 07-01882 JF (RS)

**ORDER VACATING HEARING ON
PLAINTIFFS' MOTION TO COMPEL
AND RECOMMENDING
APPOINTMENT OF SPECIAL
MASTER**

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Before the Court is plaintiffs' motion to compel arising from their contentions that numerous deficiencies exist in a privilege log provided by defendant Ebay, which lists some 69,000 documents as being withheld under claims of attorney-client privilege, work product protection, or both. Plaintiffs and Ebay have each suggested in their briefing that a special master be appointed to resolve the issues presented by this motion. In view of the contentious nature of the parties' ongoing disputes, the plethora of issues they seek to resolve in the present motion, and the numerous times they have resorted to motion practice before this Court to address past discovery disputes, it is recommended to the presiding judge that a special master be appointed to hear the present matter as

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well as any and all future discovery disputes that may arise in this action. The hearing presently scheduled for October 21, 2009, is therefore vacated.

IT IS SO ORDERED.

Dated: October 14, 2009



RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE