

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Applied Materials, Inc.,

NO. C 07-05248 JW

Plaintiff,

v.

Advanced Micro-Fabrication Equipment
(Shanghai) Co., et al.,

Defendants.

**ORDER DENYING DEFENDANTS'
MOTION FOR RECONSIDERATION;
SUSTAINING PLAINTIFF'S OBJECTION
TO DISCOVERY ORDER NO. 13;
OVERRULING AS MOOT PLAINTIFF'S
OBJECTION TO DISCOVERY ORDER
NO. 14**

On March 11, 2009, the Court issued an Order Sustaining Plaintiff's Objection to Discovery Order No. 13; Overruling as Moot Plaintiff's Objection to Discovery Order No. 14. (Docket Item No. 248.) In the March 11 Order, the Court ordered that certain documents remain designated "Highly Confidential - Attorney's Eyes Only," subject to the applicable Protective Order. On April 1, 2009, Defendants sought leave to file a motion for reconsideration, contending that the Court had not given them sufficient time to file an opposition to Plaintiff's initial objections to the Special Masters Discovery Order Nos. 13 and 14. (Docket Item No. 56.) In light of this procedural oversight, the Court permitted Defendants to file an opposition to Plaintiff's objections, and stated that it would reconsider its March 11 Order in light of any such opposition. On May 11, 2009, Defendants filed their Opposition to Plaintiff's Objection to Discover Order Nos. 13 and 14. (Docket Item No. 326.)

Upon review of the complete briefing of this issue, the Court finds no grounds to alter the conclusions contained in its March 11 Order. That is, despite Defendants' contentions, the Court

1 still finds that the documents at issue are appropriately subject to the Protective Order and
2 designated “Highly Confidential - Attorney’s Eyes Only.” Accordingly, the Court DENIES
3 Defendants’ Motion for Reconsideration and affirms the ruling in its March 11 Order.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: June 19, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

- 2 Brian Paul Gearing bgearing@mofoc.com
- 3 Colette R. Verkuil cverkuil@mofoc.com
- 4 D. Stuart Bartow sbartow@goodwinprocter.com
- 5 Daryl Stuart Bartow sbartow@goodwinprocter.com
- 6 Douglas C Doskocil ddoskocil@goodwinprocter.com
- 7 Harold J. McElhinny HmcElhinny@mofoc.com
- 8 James C. Rehnquist jrehnquist@goodwinprocter.com
- 9 John C. Englander jenglander@goodwinprocter.com
- 10 Kenneth Alexander Kuwayti Kkuwayti@mofoc.com
- 11 Marc David Peters mdpeters@mofoc.com
- 12 Michael G. Strapp mstrapp@goodwinprocter.com
- 13 Paul Forrest Coyne pcoyne@mofoc.com
- 14 Thomas F. Fitzpatrick tfitzpatrick@goodwinprocter.com
- 15 Thomas H R Denver tdenver@mediationmasters.com

16
17
18
19
20
21
22
23
24
25
26
27
28
Dated: June 19, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy