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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

INFOR GLOBAL SOLUTIONS)
(MICHIGAN), INC.,)
)
Plaintiff,)
)
v.)
)
ST. PAUL FIRE & MARINE)
INSURANCE COMPANY,)
)
Defendant.)
_____)

Case No.: C 08-02621 JW (PVT)
**INTERIM ORDER RE PLAINTIFF
INFOR'S MOTION FOR
PROTECTIVE ORDER PROHIBITING
FURTHER DEPOSITION AND USE OF
PRIVILEGED MATERIALS**
[Docket No. 150]

Pursuant to a motion for protective order prohibiting further deposition and use of privileged materials, plaintiff Infor Global Solutions (Michigan), Inc. lodged certain documents that it had deemed as privileged for *in camera* inspection. Based on a preliminary review of the documents, the court makes the following findings:

1. Plaintiff Infor shall lodge all attachments to the emails with duplicates of the emails (previously lodged) as they are kept in the usual course of business;
2. Plaintiff Infor shall identify the position and job functions of the following individuals: Mark Henry, Gail Fuller, Robin V. O'Shea, Elizabeth Lyon, Douglas Wolfson, Joyette Dean, Nate McKitterick and Linda Phipps;
3. Plaintiff Infor shall produce to defendant St. Paul Fire & Marine Insurance Company all email exchanges between plaintiff Infor, its counsel, and non-party O'Melveny &

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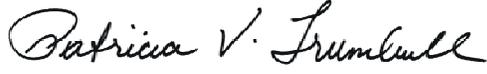
Myers no later than July 8, 2009.¹ Until further ruling from the court, email strings that contain exchanges between Infor attorneys and/or plaintiff Infor’s counsel, Gauntlett & Associates, may be redacted from email strings that also contain email exchanges between plaintiff Infor, its counsel, and non-party O’Melveny & Myers;

4. Plaintiff shall revise its privilege log to conform with Rule 26(b)(5).

Plaintiffs shall lodge the additional documents and information set forth above no later than July 8, 2009.

IT IS SO ORDERED.

Dated: July 1, 2009


PATRICIA V. TRUMBULL
United States Magistrate Judge

¹ At the hearing held on April 28, 2009, plaintiff Infor waived any privilege relating to any communications between plaintiff Infor, its counsel, and O’Melveny & Myers. *See, e.g.*, Infor’s Reply In Support of Motion for Protective Order Prohibiting Deposition and Use of Privileged Materials at p. 8, ln. 23-24 (“Infor has not raised any privilege with O’Melveny & Myers as a sword or a shield in this case. It has provided documents and freely permitted questioning of O’Melveny attorneys.”).