

1 YITAI HU (SBN 248085)  
yitai.hu@alston.com  
2 SEAN P. DEBRUINE (SBN 168071)  
sean.debrune@alston.com  
3 ELIZABETH H. RADER (SBN 184963)  
elizabeth.rader@alston.com  
4 JANE HAN BU (SBN 240081)  
jane.bu@alston.com  
5 JENNIFER LIU (SBN 268990)  
celine.liu@alston.com  
6 PALANI P. RATHINASAMY (SBN 269852)  
palani.rathinasamy@alston.com  
7 **ALSTON & BIRD LLP**  
275 Middlefield Road, Suite 150  
8 Menlo Park, CA 94025-4008  
Telephone: 650-838-2000  
9 Facsimile: 650-838-2001

10 Attorneys for Plaintiff and Counterdefendant  
11 ELAN MICROELECTRONICS  
CORPORATION

12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION  
16

17 ELAN MICROELECTRONICS  
18 CORPORATION,

19 Plaintiff and Counterdefendant,

20 v.

21 APPLE, INC.,

22 Defendant and Counterplaintiff.

23  
24 AND RELATED COUNTERCLAIMS  
25  
26  
27  
28

Case No. 09-cv-01531 RS (PSG)

**[PROPOSED] ORDER SUSTAINING  
ELAN MICROELECTRONICS  
CORPORATION'S OBJECTIONS TO  
MAGISTRATE JUDGE GREWAL'S  
NONDISPOSITIVE PRETRIAL ORDER  
COMPELLING THE PRODUCTION OF  
PRIVILEGED DOCUMENTS (DKT 382)  
PURSUANT TO FED. R. CIV. P. 72(A)  
AND 28 U.S.C. § 636(b)(1)(A)**

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

The Court has considered Elan Microelectronics Corporation’s (“Elan’s”) Objections to Magistrate Judge Grewal’s Nondispositive Pretrial Order Compelling the Production of Privileged Documents (Dkt 382) Pursuant to Fed. R. Civ. P. 72(A) and 28 U.S.C. § 636(b)(1)(A). Good cause appearing, the objection is **SUSTAINED**. Magistrate Judge Grewal’s Order compelling Elan to produce privileged communications among Elan’s in-house IP Legal Department is **SET ASIDE**.

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_, 2011

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE