

1 **** E-filed August 4, 2010 ****

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7 NOT FOR CITATION

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 OPENWAVE SYSTEMS, INC.,
a Delaware corporation; and
12 OPENWAVE SYSTEMS (ROI) Ltd., its
Republic of Ireland subsidiary,

No. C09-03511 RS (HRL)

**ORDER RE: PARTIES' MOTIONS TO
COMPEL AND ADMINISTRATIVE
MOTIONS**

13 Plaintiffs,

14 v.

**[Re: Docket Nos. 197, 198, 202, 204, 211,
212, 214, 215 & 217]**

15 724 SOLUTIONS (US) INC., a Delaware
16 corporation; and 724 SOLUTIONS
SOFTWARE, INC., a Delaware corporation,

17 Defendants.

18 _____/

19 During the past week, the parties have inundated the Court with motions to compel and
20 associated administrative motions. Openwave re-noticed two motions to compel for hearing on
21 August 17 and filed administrative motions to allow it to file “supplemental” briefs, purportedly to
22 “update” the Court as to the status of the disputes because many of the issues addressed in the
23 original motions have apparently been resolved.¹ (Docket Nos. 197, 198, 214 & 215). It also filed a
24 new motion to compel a deposition under FRCP 30(b)(6) and noticed it for hearing on September 7.
25 (Docket No. 212.) On the other side, 724 Solutions filed a “renewed” motion to compel and an
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¹ The Court notes that Openwave’s re-noticed its motion to compel within the standard 35-day period (*see* Civil Local Rule 7-3) but did not file a motion to shorten time.

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(4) 724 Solutions’s motion to strike (Docket No. 211) is GRANTED.

(5) Openwave’s administrative motion for leave to file under seal (Docket No. 217) is DENIED.

IT IS SO ORDERED.

Dated: August 4, 2010



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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