

United States District Court
For the Northern District of California

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E-FILED 2/6/2009

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NEGOTIATED DATA SOLUTIONS, INC.,

No. C09-80012MISC JF (HRL)

Plaintiff,

v.

**ORDER (1) DENYING PLAINTIFF'S
MOTION FOR AN ORDER
SHORTENING TIME; AND (2)
GRANTING NVIDIA CORPORATION'S
MOTION FOR A STAY OF
DEPOSITION**

DELL, INC.,

Defendant.

[Re: Docket Nos. 6 and 12]

_____/

Negotiated Data Solutions, Inc. ("N-Data") moves for an order shortening time for briefing and hearing on (a) its motion to compel documents from non-party Nvidia Corporation ("Nvidia"); and (b) Nvidia's motion to quash N-Data's Fed.R.Civ.P. 30(b)(6) deposition subpoenas. Relatedly, Nvidia requests that the court temporarily stay that deposition pending the resolution of the motion to quash.

This court does not find good cause for an order shortening time. The record presented indicates that N-Data is now moving to compel discovery that reportedly was the subject of a subpoena duces tecum served nearly one year ago. If N-Data felt this discovery was critical to its case, it surely would not have waited until just before the close of discovery to move to compel (or to seek Nvidia's deposition). Accordingly, the motion for an order shortening time is denied. The parties' respective discovery motions will be heard on **March 10, 2009, 10:00**

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a.m. in Courtroom 2. Briefing shall proceed in accordance with a normal 35-day calendar under the court's Civil Local Rules. Nvidia's deposition shall be stayed pending the resolution of Nvidia's motion to quash.

SO ORDERED.

Dated: February 6, 2009



HOWARD E. LLOYD
UNITED STATES MAGISTRATE JUDGE

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5:09-mc-80012 Notice has been electronically mailed to:

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