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**\*E-FILED: January 25, 2012\***

NOT FOR CITATION  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

REFLEX PACKAGING,

No. C10-01002 EJD (HRL)

Plaintiff,

**INTERIM ORDER RE DISCOVERY  
DISPUTE JOINT REPORT #1**

v.

LENOVO (UNITED STATES), INC.

Defendant.

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Having reviewed the parties' Discovery Dispute Joint Report (DDJR) #1, as well as the declaration of Brian Jesinskey filed concurrently by defendant, the court issues this interim order:

1. Each party shall advise the court whether or not In re Citric Acid Litigation, 191 F.3d 1090 (9th Cir. 1999) states the current law in the Ninth Circuit on interpretation of the word "control" for purposes of production of documents under Fed. R. Civ. P. 34.

2. Plaintiff may submit its evidence in support of its argument in the DDJR.

3. Lenovo (United States) shall submit evidence to close two gaps in the Jesinskey declaration:

a. Were any of the current or past officers, directors, or employees of Lenovo Group Ltd., Lenovo Singapore, Lenovo Hong Kong, or Lenovo Beijing ever officers, directors, or employees of Lenovo (United States)? If so, give specific information, including

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dates.

b. Does Lenovo (United States) share or have access to any databases with Lenovo Group Ltd., Lenovo Singapore, Lenovo Hong Kong, or Lenovo Beijing? If so, describe full particulars, with special attention to whether any such database includes information of the kind sought by plaintiff (and, if so, whether it has been produced).

4. The parties shall comply within 14 days from the date of this order.

SO ORDERED.

Dated: January 25, 2012



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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

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5:10-cv-01002-EJD Notice has been electronically mailed to:  
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