

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ABAXIS, INC.,)	Case No.: 10-CV-2840-LHK
)	
Plaintiff,)	
)	ORDER RE: JURY COSTS; ORDER TO
v.)	RETRIEVE TRIAL MATERIALS
)	
CEPHEID,)	
)	
Defendant.)	

At 9:44 a.m. on Monday, September 24, 2012, the parties filed a Stipulation of Dismissal with Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). *See* Dkt. No. 294. Jury selection was set to begin that same day, September 24, 2012, at 1:30 p.m. The parties' Stipulation of Dismissal was filed too late for the Court to dismiss the summoned potential jurors from appearing for jury duty. Accordingly, the Court will assess jury costs against the parties pursuant to Civil Local Rule 40-1. After the Court determines which potential jurors appear and the amount of jury costs, the Court will issue an Order notifying the parties. Any party wishing to contest the assessment may do so by filing a declaration showing cause why the costs should not be assessed. The Court will set the deadline for filing any declaration contesting the assessment of jury costs at one week from the filing of the Court's forthcoming Order on the amount of jury costs.

The Court ORDERS the parties to retrieve their jury binders, exhibit binders, and expert declaration binders from Chambers on September 24, 2012, between 2:00 p.m. and 4:00 p.m.

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IT IS SO ORDERED.

Dated: September 24, 2012



LUCY H. KOH
United States District Judge