

1 **\*\* E-filed May 19, 2011 \*\***

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7 NOT FOR CITATION  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 JOHN FRENCH,

No. C10-03645 JF (HRL)

12 Plaintiff,

**ORDER (1) DIRECTING  
DEFENDANT TO SUBMIT  
DOCUMENTS FOR *IN CAMERA*  
INSPECTION AND (2) VACATING  
HEARING DATE FOR PLAINTIFF'S  
MOTION TO COMPEL**

13 v.

14 JDS UNIPHASE CORPORATION,

15 Defendant.

[Re: Docket No. 34]

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17 On April 19, 2011, plaintiff John French ("French") filed a motion to compel defendant JDS  
18 Uniphase Corporation ("JDSU") to produce further documents in response to his First Set of  
19 Requests for Production of Documents. Docket No. 34. JDSU opposed French's motion on the  
20 ground that the documents French seeks — certain May 2009 emails between JDSU executives and  
21 JDSU's in-house counsel Kevin Siebert (the "Siebert Emails") — are protected by the attorney-  
22 client privilege. Docket No. 41. To determine whether they are or are not, the Court must see them.  
23 Accordingly, the Court directs JDSU to submit the Siebert Emails to the Court for *in camera* review  
24 no later than May 24, 2011. In addition, the currently-scheduled May 24, 2011 hearing date for  
25 French's motion to compel is VACATED. Should the Court determine that oral argument is  
26 necessary, it will inform the parties and set a new hearing date.  
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**IT IS SO ORDERED.**

Dated: May 19, 2011



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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

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**C10-03645 JF (HRL) Notice will be electronically mailed to:**

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