

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

E-FILED 6/25/2008

NOT FOR CITATION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

LOUIS VUITTON MALLETIER, S.A.,

No. C07-03952 JW (HRL)

Plaintiff,

**ORDER GRANTING DEFENDANTS'
MOTION FOR LEAVE TO FILE
STATEMENT OF RECENT DECISION**

v.

AKANOC SOLUTIONS, INC., MANAGED
SOLUTIONS GROUP, INC. STEVEN CHEN
and DOES 1 THROUGH 10,

[Re: Docket No. 59]

Defendants.

Pursuant to Civil Local Rule 7-3(d) and 7-11, defendants move for leave to file a statement of recent decision in connection with plaintiff's pending motion to compel. Their proposed statement, including a copy of the recent decision in question, was filed along with their request for leave. Plaintiff opposes the request. In sum, defendants contend that the recent decision in *Quon v. Arch Wireless Operating Co.*, ___ F.3d ___, 2008 WL 2440559 (9th Cir., June 18, 2008) supports their arguments as to plaintiff's requested discovery. Plaintiff argues that the case has no bearing on the issues presented in its motion to compel.

Upon consideration of the moving and responding papers, this court grants defendants' request. It will consider the recent *Quon* decision, as well as the parties' respective statements as to *Quon*'s applicability (or not) to the resolution of plaintiff's pending discovery motion. Further submissions from the parties on this point are deemed unnecessary and will not be

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

permitted.

Dated: June 25, 2008



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5:07-cv-3952 Notice has been electronically mailed to:

J. Andrew Coombs andy@coombsp.com, jeremy@coombsp.com

James A. Lowe info@gauntlettlaw.com, arm@gauntlettlaw.com, bse@gauntlettlaw.com,
jal@gauntlettlaw.com, pam@gauntlettlaw.com

Annie S Wang annie@coombsp.com, andy@coombsp.com

Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.