

E-FILED: April 15, 2013

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NAVCOM TECHNOLOGY, INC.; AND
DEERE & COMPANY,

Plaintiffs,

vs.

OKI ELECTRIC INDUSTRY CO., LTD.;
and DOES 1 through 10, inclusive,

Defendants.

Case No. 5:12-cv-04175 EJD

~~PROPOSED~~ ORDER REGARDING
DEPOSITIONS OF YUKI USHIDA
AND KEN FUJITA AT THE UNITED
STATES EMBASSY, TOKYO JAPAN

Judge: Hon. Edward J. Davila
Date of Filing: 06/22/2012

1 **TO ANY CONSUL OR VICE-CONSUL OF THE UNITED STATES ASSIGNED**
2 **TO TOKYO, JAPAN:**

3 WHEREAS, the above-captioned civil lawsuit has been pending before this Court since
4 July 2012;

5 WHEREAS, the Plaintiffs NavCom Technology, Inc. and Deere & Company allege
6 breach of contract by Defendant Oki Electric Industry Co., Ltd.;

7 WHEREAS, discovery began in November 2012;

8 WHEREAS, Plaintiffs have reserved a deposition room at the United States Embassy in
9 Tokyo, Japan for taking depositions from June 24, 2013 through June 28, 2013;

10 On stipulation of Parties, and pursuant to Article 17 of the United States-Japan Consular
11 Convention of 1963, 15 U.S.T. 768,

12 **IT IS ORDERED** that the depositions of the following witnesses, who will appear
13 voluntarily, be taken at the United States Embassy in Tokyo, Japan:

14 Name: Yuki Ushida

15 Employer: Oki Sensor Device Corporation

16 Address: Tachihi Bldg. No. 7 4th Fl. 6-1-1, Sakae-cho, Tachikawa-shi,
17 Tokyo 190-0003, Japan

18 Deposition of the above individual will commence on or about June 25, 2013 at 8:30 a.m. (local
19 time) and conclude on or about June 26, 2013, at 5:00 p.m. (local time).

20 Name: Ken Fujita

21 Employer: Oki Electric Industry Co., Ltd.

22 Address: 1-7-12 Toranomom Minato-ku Tokyo 105-8460, Japan

23 Deposition of the above individual will commence on or about June 27, 2013 at 8:30 a.m. (local
24 time) and conclude on or about June 28, 2013, at 5:00 p.m. (local time).

25 Counsel for Plaintiffs who will participate in said depositions include one or more of the
26 following: Brett M. Schuman and Rachel M. Walsh.

27 Counsel for Defendant who will participate in said depositions include one or more of the

1 following: Marc R. Labgold, Patrick J. Hoeffner, Takaaki Nagashima, Kojiro Akashi and
2 Yuichiro Yasutomo.

3 In addition to counsel for Plaintiffs, NavCom representatives Paul Galyean and Patricia
4 Harris may attend.

5 In addition to the deponents and counsel for Defendants, Oki representatives Mr. Isao
6 Goto, Ms. Mikiko Higashino and Ms. Yoko Goto may attend.

7 The proceedings will be reported by Karen Claire Young, Cynthia Renee Ott, Robert
8 Vance Short, Leslie Anne Todd, Susan Dena Wasilewski, Melanie Louise Giamarco, Deborah
9 Ruth Marshall, Lisa A. Knight, Tracy LoCastro, James Vernon Beasley, Jodi Beth Harmon with
10 Planet Depos-Asia Court Reporters. The proceedings will be recorded on video by Paul B.
11 Diserio of Legal Video Asia. Grace Liu and Toyu Yazaki will act as interpreters.

12 The transcripts of the deposition will be prepared and distributed among the interested
13 parties by the court reporter without further involvement by the United States Embassy

14 The parties respectfully request that the Court provide five certified copies of the Order
15 pursuant to these stipulations, to be mailed by Parties' counsel to the United States Embassy in
16 Tokyo, Japan.

17 IT IS SO ORDERED.

18

19

20 Dated: April 15, 2013

By 
HONORABLE HOWARD R. LLOYD

21

22

23

24

25

26

27

28