

E-FILED: July 31, 2013

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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
DEPOSITION OF DEFENDANT OKI
ELECTRIC INDUSTRY CO., LTD.
PURSUANT TO FED. R. CIV. P.
30(B)(6) AT THE UNITED STATES
EMBASSY, TOKYO JAPAN

Judge: Hon. Edward J. Davila

Date of Filing: ~~06/22/2012~~

July 31, 2013

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 September 9-10, 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: Yoko Goto

15 Employer: Oki Electric Industry Co., Ltd.

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

17 Deposition of the above individual will commence on or about September 9, 2013 at 8:30 a.m.
18 (local time) and conclude on or about September 10, 2013, at 5:00 p.m. (local time).

19 Counsel for Plaintiffs who will participate in said depositions include one or more of the
20 following: Brett M. Schuman, Ryan L. Scher and Rachel M. Walsh.

21 Counsel for Defendant who will participate in said depositions include one or more of the
22 following: Marc R. Labgold, Patrick J. Hoeffner, Takaaki Nagashima and Yuichiro Yasutomo.

23 In addition to counsel for Plaintiffs, Navcom and/or Deere & Co. corporate
24 representatives Patricia Harris will attend.

25 In addition to the deponents and counsel for Defendants, Oki corporate representatives
26 Mr. Isao Goto and Ms. Mikiko Higashino will also attend.

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The proceedings will be reported by Karen Claire Young, Cynthia Renee Ott, Robert Vance Short, Leslie Anne Todd, Susan Dena Wasilewski, Melanie Louise Giamarco, Deborah Ruth Marshall, Lisa A. Knight, Tracy LoCastro, James Vernon Beasley, Jodi Beth Harmon and/or Keith Shreckengast. The proceedings will be recorded on video by Paul B. Diserio, Paul Michael Goldberg and/or Daniel Dean of Legal Video Asia. Grace Liu, Toyu Yazaki and/or William Lise will act as interpreters.

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

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

IT IS SO ORDERED.

Dated: July 31, 2013

By  _____
HONORABLE HOWARD R. LLOYD