

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BLADEROOM GROUP LIMITED, et al.,
Plaintiffs,
v.
FACEBOOK, INC., et al.,
Defendants.

Case No. [5:15-cv-01370-EJD](#) (HRL)

**ORDER RE DISCOVERY DISPUTE
JOINT REPORT NO. 6**

Re: Dkt. No. 176

In this action, plaintiffs seek damages for alleged misappropriation of trade secrets. In DDJR #6, plaintiffs seek an order requiring the Emerson defendants to answer Interrogatory No. 11: “Identify any trade secret listed in BRG’s Disclosure of Trade Secrets Under California Code of Civil procedure §2019.210 [“§ 2019.210 statement”] that you contend was known or used in the public before BRG disclosed that trade secret to you, and identify all facts, documents, and witnesses that support or contradict your contention.” (Dkt. 175-3 at 2).

The Emerson defendants objected to answering No. 11 on the grounds that (1) it was premature because the presiding judge had not yet ruled on their motion to dismiss the misappropriation claim for relief, and (2) the plaintiffs’ § 2019.210 statement merely generally describes the features of any data center and omits detailed specifications and descriptions that would make their features unique.

Since DDJR #6 was filed, the presiding judge did rule on the Emerson defendants’ motion

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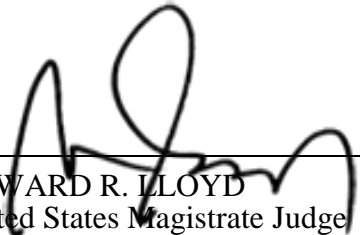
to dismiss. He denied it. That ruling shoots down the first objection.

As for the second objection, it does seem to this court that plaintiffs describe their claimed trade secrets in their § 2019.210 statement with quite a broad brush. However, the normal remedy for that, if a remedy is needed, is a motion to require plaintiffs to submit more particularized disclosures. None of the defendants have filed such a motion.

Close of discovery is not far off, and it is time for the Emerson defendants to answer, as best they can, Interrogatory No. 11. Of course, they can supplement their answer later as additional information becomes known. Their answer is due 10 days after this order is filed.

SO ORDERED.

Dated: February 27, 2017



HOWARD R. LLOYD
United States Magistrate Judge

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5:15-cv-01370-EJD Notice has been electronically mailed to:

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