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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BLADEROOM GROUP LIMITED, et al.,  
Plaintiffs,  
v.  
EMERSON ELECTRIC CO, et al.,  
Defendants.

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

**ORDER RE CONDITIONAL MOTION  
FOR FEE-RELATED DISCOVERY**

Dkt. No. 969

Pending before the court is Emerson’s Conditional Motion For Fee-Related Discovery. Based upon all pleadings filed to date and the comments of counsel at the hearing held on August 8, 2019, the court orders as follows:

Emerson’s request for discovery of billing and time records underlying BladeRoom’s request for attorneys’ fees is DENIED. It is the court’s intention to appoint a special master to review the billing and time records of BladeRoom’s counsel *in camera* and to prepare a report and recommendation on BladeRoom’s Motion for Attorney Fees and Costs (Dkt. No. 962).

Emerson’s request for discovery regarding the amounts received (or to be received) by BladeRoom’s counsel pursuant to BladeRoom’s settlement with Facebook is DENIED. Upon entry of the settlement, BladeRoom and Facebook agreed to “bear their own attorneys’ fees and costs.” Dkt. No. 968 at 19. Therefore, there is no need for discovery relating to the settlement. *See e.g. Hasan v. Johnson*, No. 1:08-CV-0381-MJS PC, 2014 WL 2930452, at \*1 (E.D. Cal. June 27, 2014) (“settlement providing that ‘[e]ach party shall bear its own costs and attorney’s fees’

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expressly rules out any [] costs, or fees being paid.”).

**IT IS SO ORDERED.**

Dated: August 8, 2019



EDWARD J. DAVILA  
United States District Judge