

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

QBEX COMPUTADORAS S.A.,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 17-cv-03375-LHK (SVK)

**ORDER REGARDING PLAINTIFF'S
SEPTEMBER 27, 2018 DISCOVERY
LETTER**

On September 27, 2018, Qbex informed the Court via a letter of two discovery disputes. Intel responded with its own letter on September 28, 2018. Qbex asserts that Intel has not complied with two previous Court Orders (ECF 104; ECF 105), by failing to (i) provide Qbex with a proposed plan to locate relevant documents related to Jia Guo and Guo Jia, and (ii) make Intel witness Otto Matarrita available for deposition in the United States. Having considered the Parties' positions and prior discovery proceedings before the Court, the Court **ORDERS** as follows:

1. Qbex has produced sufficient information to demonstrate that a search by Intel of the account `jia.guo@intel.com` is within the scope of Fed. R. Civ. P. 26 (b)(1). In particular, the information provided indicates that there is an Intel "Senior Software Engineer," who goes by Guo (Jeff) Jia and Jia (Jeff) Guo who works at Intel Asia-Pacific R&D, worked on the subject processor, and uses the email address "`jia.guo@intel.com`." In this instance, the importance of the issues at stake outweigh any argument of untimeliness. *Id.* Accordingly, the Court **ORDERS** Intel to search the Jia (Jeff) Guo's emails (`jia.guo@intel.com`) for relevant documents according to the search terms previously agreed upon by the Parties for the other custodians. Intel shall produce any responsive

United States District Court
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

documents by **October 5, 2018**. The Court **DENIES** Qbex's request that Intel search the related emails, guo*@intel.com and jia*@intel.com, as overbroad.

2. The Parties appear to be continuing to meet and confer regarding a deposition date for Intel witness Otto Matarrita. However, in light of the impending close of discovery, the Court **ORDERS** that Mr. Matarrita's deposition take place between October 8, 2018 and October 11, 2018.

3. Qbex's request for sanctions is **DENIED**.

SO ORDERED.

Dated: September 28, 2018



SUSAN VAN KEULEN
United States Magistrate Judge