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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
5 SAN JOSE DIVISION

6 RAJA KANNAN,
7 Plaintiff,

8 v.

9 APPLE INC.,
10 Defendant.

Case No. [5:17-cv-07305-EJD](#)

**ORDER DENYING PLAINTIFF'S
MOTION FOR RELIEF FROM
NONDISPOSITIVE PRETRIAL ORDER
OF MAGISTRATE JUDGE
DEMARCHI**

Re: Dkt. No. 277

11
12 Before the Court is Plaintiff Raja Kannan's motion for relief from Magistrate Judge
13 DeMarchi's nondispositive pretrial order. *See* Dkt. 277 ("Mot."). For the foregoing reasons, the
14 Court **DENIES** Plaintiff's request.

15 In January 2020, this Court issued an order granting Karen Ford's (Plaintiff's former
16 attorney) motion to withdraw. In this order, the Court referred the issue of what to do with the
17 "Attorneys' Eyes Only" ("AEO") documents to Magistrate Judge DeMarchi. *See* Dkt. 229.
18 Thereafter, Magistrate Judge DeMarchi had various hearings with the Parties regarding the AEO
19 documents. Ultimately, on May 27, 2020, Magistrate Judge DeMarchi ordered Defendant Apple
20 to (1) produce a written summary of information regarding the eight Apple employees who
21 reported to Mr. Kotni and (2) review the confidential expert reports to ensure the redactions were
22 limited to confidential, employee-specific compensation or personnel information. *See* Order re
23 Defendant's AEO Designations ("Judge DeMarchi Order") at 2, Dkt. 262. Judge DeMarchi
24 determined that Defendant did not need to further redact the AEO material or reproduce additional
25 documents because Plaintiff did not state a specific need for (1) any particular document or (2) for
26 information that was not already addressed by the summary of employee-specific information.

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1 *See id.* Plaintiff argues this ruling was “clearly erroneous and contrary to the law.” Mot. at 3.

2 The cases Plaintiff relies on are not persuasive. For instance, the *Taser International Inc.*
3 *v. Stinger Systems Inc.* case that Plaintiff quotes is unhelpful. There, the pro se litigant objected to
4 a *narrow* portion of the AEO stipulation—he argued that one paragraph of the protective order did
5 not protect his legal interests. Judge DeMarchi specifically instructed Plaintiff to state (1) a
6 specific need for a particular document or (2) his need for specific information not addressed in
7 the ordered summaries. Plaintiff declined to do this. Instead, Plaintiff asked Judge DeMarchi to
8 review the AEO documents in their entirety to determine what information should be redacted
9 and/or anonymized. *See* Dkt. 269 at 55 (“Because you did not make specific requests about
10 specific documents, you did everything with the same kind of statement that everything is
11 relevant. I am not going to go through the documents myself and make calls for you, that’s just an
12 unreasonable expectation of the court.”). Indeed, in this motion, Plaintiff again declines to
13 indicate which documents he feels are necessary to his case and over-redacted. Plaintiff also
14 seems to misunderstand his pro se status. He argues that because he is pro se, he is now entitled to
15 see everything that an attorney would be able to see. *See* Mot. at 5–6. While it is true that upon
16 termination, the client is presumed to be entitled full access to the attorney’s file, this rule must be
17 understood in context to AEO designated documents. The documents Plaintiff seeks contain
18 highly sensitive information about other Apple employees, which is why they are designated
19 AEO. Plaintiff’s pro se status does not change this.

20 Accordingly, because Plaintiff did not provide Judge DeMarchi or this Court with specific
21 requests about specific AEO documents, his motion for relief is **DENIED**.

22 **IT IS SO ORDERED.**

23 Dated: June 15, 2020

24 
25 EDWARD J. DAVILA
26 United States District Judge

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