

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ASML NETHERLANDS B.V., et al.,
Petitioners,
v.
INTEL CORPORATION,
Respondent.

Case No. [5:18-mc-80070-HRL](#)

ORDER TO SHOW CAUSE

Pursuant to 28 U.S.C. § 1782, ASML Netherlands, B.V. (ASML) and Carl Zeiss SMT GmbH (Zeiss), petition the court for an order permitting them to conduct discovery of Intel Corp. (Intel) in aid of foreign proceedings. Although such petitions generally are handled on an ex parte basis, petitioners request that the court instead issue an order setting a briefing and hearing schedule and directing Intel to show cause why ASML/Zeiss’s petition for discovery should not be granted. Accordingly,

ASML/Zeiss shall personally serve upon Intel copies of this order, their April 19, 2018 petition (and all supporting briefs, declarations and exhibits) on or before **May 11, 2018**.

ASML/Zeiss shall promptly file a proof of service with the court.

ASML/Zeiss and Intel are ordered to promptly meet-and-confer about the proposed discovery and petitioners’ proposed protective order. Petitioners and Intel should meet-and-confer

1 as many times as necessary to fully discuss all issues. By **June 1, 2018**, petitioners and Intel shall
2 file a joint report advising the court of any issues that have been resolved, as well as those that
3 remain in dispute (with a brief description of the parties' respective positions on any disputed
4 matters).

5 As to any issues that remain unresolved:

6 Intel's response to the instant order (which shall include any opposition to ASML/Zeiss's §
7 1782 petition, any objections to the proposed subpoena, and any objections to petitioners'
8 proposed protective order) shall be filed by **June 8, 2018**.


9 Petitioners' reply shall be filed by **June 15, 2018**.

10 The matter is set for hearing on **June 26 2018, 10:00 a.m.**, Courtroom 2, Fifth Floor.

11 SO ORDERED.

12 Dated: May 1, 2018

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HOWARD R. LLOYD
United States Magistrate Judge