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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6
7 L.G. PHILIPS LCD CO., LTD.,

8 Plaintiff,

No. C07-398 MJP

9 v.

ORDER

10 TATUNG CO., et al.,

11 Defendants.

12
13 This matter comes before the Court on Defendant Tatung Company and Tatung Company of
14 America, Inc.'s motion for a protective order limiting the scope of a third-party deposition and
15 subpoena and request for an expedited hearing. (Dkt. No. 1).

16 This dispute involves a deposition notice and subpoena issued in this district and served on
17 third-party Amazon.com in connection with a patent infringement lawsuit pending in the United
18 States District Court for the District of Delaware. Defendants filed a motion for protective order
19 limiting discovery from Amazon.com. Plaintiff has requested that the Court formally transfer this
20 dispute to the District of Delaware.. (Dkt. No. 3 at 6-7). In their Reply, Defendants state that they do
21 not oppose the transfer. (Dkt. No. 5 at 3).


22 The Court has the authority to transfer this matter to the court where the main action is
23 pending. See In re Digital Equipment Corp., 949 F.2d 228, 231 (8th Cir. 1991); Fed. R. Civ. P. 26(c)
24 advisory committee's note ("The court in the district where the deposition is being taken may, and
25 frequently will, remit the deponent or party to the court where the action is pending."). Because the
26 Delaware Court is in a better position to evaluate this dispute in light of the history of the discovery
disputes between these parties and the facts at issue in the main case, and because neither party

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1 opposes the transfer, the Court orders that this case be transferred to the United States District Court
2 for the District of Delaware.

3 The Clerk is directed to prepare all necessary materials and transfer them as expeditiously as
4 possible to the United States District Court for the District of Delaware. The Clerk is also directed to
5 send copies of this order to all counsel of record.

6 Dated this 20th day of March, 2007.

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8 Marsha J. Pechman
9 United States District Judge

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