

FILED

Jan 20 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

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

IN RE APPLE IPHONE ANTITRUST
LITIGATION

Case No. 11-cv-06714-YGR (TSH)

DISCOVERY ORDER

Re: Dkt. Nos. 370, 371, 372

DONALD R. CAMERON, et al.,

Case No. 19-cv-03074-YGR (TSH)

Plaintiffs,

v.

Re: Dkt. Nos. 240, 241, 242

APPLE INC.,

Defendants.

EPIC GAMES, INC.,

Case No. 20-cv-05640-YGR (TSH)

Plaintiff and Counter-

defendant,

Re: Dkt. Nos. 260, 261, 262

v.

APPLE INC.,

Defendant and

Counterclaimant.

The Court is in receipt of three discovery letter briefs in these related actions. For the reasons stated below, the discovery hearing currently scheduled for tomorrow is reset for Monday.

United States District Court
Northern District of California

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

A. Apple Subpoena to Samsung (11-6714 ECF No. 370; 19-3074 ECF No. 240; 20-5640 ECF No. 260)

Apple states in footnote 1 that it “was unable to obtain Samsung’s consent in order to file in time. This letter brief reflects the last version exchanged between the Parties and contains only minimal, stylistic changes from the last draft Apple received.” Consistent with that footnote, the letter brief lacks the efilng attestation required by Civil Local Rule 5-1(i)(3).

The Court is unwilling to take action on this letter brief. Instead, the Court orders Apple and Samsung to refile this letter brief as a truly joint letter brief that complies with Local Rule 5 by noon on January 21, 2021. The parties should include the documents cited in the letter brief. The hearing on this letter brief currently scheduled for January 21, 2021 at 10:00 a.m. is rescheduled for January 25, 2021 at 10:00 a.m.

B. Cue and Federighi Depositions (11-6714 ECF No. 371; 19-3074 ECF No. 241; 20-5640 ECF No. 261)

The joint discovery letter brief cites a lot of documents and testimony, and the Court would like to be able to read them before the hearing. The Court orders the parties to file the documents and testimony by noon on January 21, 2021. The hearing on this letter brief currently scheduled for January 21, 2021 at 10:00 a.m. is rescheduled for January 25, 2021 at 10:00 a.m.

C. Cook Deposition (11-6714 ECF No. 372; 19-3074 ECF No. 242; 20-5640 ECF No. 262)

The Court’s view is the same here. The Court orders the parties to file the cited documents and testimony by noon on January 21, 2021. The hearing on this letter brief currently scheduled for January 21, 2021 at 10:00 a.m. is rescheduled for January 25, 2021 at 10:00 a.m.

IT IS SO ORDERED.

Dated: January 20, 2021


THOMAS S. HIXSON
United States Magistrate Judge