

# EXHIBIT 9

DECLARATION OF MELODY DRUMMOND HANSEN  
IN SUPPORT OF DEFENDANT APPLE INC.'S MOTION  
TO PRECLUDE RELIANCE ON CERTAIN  
INVENTION DATES AND TO STRIKE CERTAIN ALLEGATIONS

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HARVATEK CORPORATION,

Plaintiff,

No. C 14-05353 WHA

v.

CREE, INC., CREE HONG KONG LTD.,  
CREE SHANGHAI OPTO  
DEVELOPMENT LTD.,

**ORDER RE DEFENDANT'S  
DISCOVERY LETTER**

Defendants.


In this patent dispute, defendants have filed a discovery letter. They seek an order precluding plaintiff from asserting a conception date prior to the filing date of the application for the patent in suit because plaintiff did not timely produce documents evidencing that earlier conception date pursuant to Patent L.R. 3-2(b). Defendants also move to strike plaintiff's supplemental production on this issue date and to preclude further supplementation.

This is not a discovery dispute. No party is seeking discovery. The issue here is whether the disclosures to date permit plaintiff to claim the benefit of an earlier invention date. Any relief relating to that issue must be sought in a formal motion.

Defendants' motion is **DENIED** without prejudice to a formal motion on this issue.

**IT IS SO ORDERED.**

Dated: June 9, 2015.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE