
v.	§	
	§	
NETAPP, INC.	§	C.A. NO. 1:14-cv-00149-SS
	§	
Defendant.	§	

v.	§	
	§	
QUANTUM CORPORATION	§	C.A. NO. 1:14-cv-00150-SS
	§	
Defendant.	§	

**AGREED ORDER GRANTING
JOINT MOTION TO COORDINATE CASES FOR DISCOVERY**

The Court, having considered the parties' Joint Motion to Coordinate Cases for Discovery, finds that the motion is well-taken and should be, and is hereby GRANTED.

It is therefore, ORDERED that discovery in the above numbered cases shall be coordinated. The discovery limits below shall apply to the above-captioned cases. These limits may be modified by agreement of the Parties or upon a showing of good cause. All parties retain their rights to seek additional discovery beyond the limits provided here.

Interrogatories. Plaintiff may serve up to ten (10) common interrogatories on Defendants, which each Defendant Affiliate Group shall answer individually, and Plaintiff may serve an additional fifteen (15) individual or specific interrogatories on each Defendant Affiliate Group.¹ Defendants, jointly, may serve up to ten (10) common interrogatories on Plaintiff, and each Defendant Affiliate Group may serve an additional fifteen (15) individual or specific interrogatories on Plaintiff.

¹ Each of the following comprises a "Defendant Affiliate Group": (1) Dot Hill Systems Corp.; (2) Oracle Corporation; (3) Dell Inc.; (4) Huawei Technologies Co., Ltd., Huawei Enterprise USA, Inc., and Huawei Technologies USA, Inc.; (5) Tandberg Data Corporation; (6) Cisco Systems, Inc.; (7) Netapp, Inc.; and (8) Quantum Corporation.

Requests for Admission. Except for authentication purposes, Plaintiff may serve up to twenty-five (25) common requests for admission on Defendants, which each Defendant Affiliate Group shall answer individually, and an additional fifteen (15) individual or specific requests for admission on each Defendant Affiliate Group. Defendants, jointly, may serve up to twenty-five (25) common requests for admission on Plaintiff, and each Defendant Affiliate Group may serve an additional fifteen (15) individual or specific requests for admission on Plaintiff.

There is no limit on the number of requests for admission the parties may serve to establish authenticity of documents.

Overall Deposition Limits. For all depositions other than expert depositions, Plaintiff may take up to forty (40) hours of deposition testimony of each Defendant Affiliate Group (which includes both Rule 30(b)(6) depositions and Rule 30(b)(1) depositions of party employees). In addition, Plaintiff is entitled to take forty (40) hours of nonparty deposition testimony. Defendants may jointly take up to fifty (50) hours of deposition testimony of Plaintiff and individually take up to twenty (20) additional hours of deposition testimony of Plaintiff (which includes both Rule 30(b)(6) depositions and Rule 30(b)(1) depositions of party employees, but does not include the depositions of inventors), and jointly take up to fifty (50) hours of nonparty deposition testimony. Depositions, including depositions on written questions, of custodians of business records for third parties are also permitted but are not included in the limit on deposition hours per side set forth above.

Duration of Depositions. Unless otherwise specified below, each deposition shall be limited to one day of seven (7) hours on the record. For inventor depositions, Defendants as a group will be limited to ten (10) deposition hours of each inventor in his individual capacity as an inventor (excluding deposition time as a 30(b)(6) witness). Each deposition of inventors or

30(b)(6) witnesses will be taken on consecutive days and shall not continue for more than seven (7) hours on the record each day.² Any deposition of an expert witness will be limited to seven (7) hours per witness per report. In addition to the seven (7) hours per report, if an expert witness issues a report or expresses an opinion addressing infringement or damages issues for multiple Defendants in this action, for that report, he/she may be deposed up to an additional two (2) hours for each Defendant beyond the first seven (7) hours. For each of the durational limits provided here, pursuant to Fed. R. Civ. P. 30, additional time consistent with Rule 26(b)(2) will be allowed if needed to fairly examine the deponent.

SIGNED this 6th day of May, 2014.


SAM SPARKS
UNITED STATES DISTRICT JUDGE

² “For purposes of this durational limit, the deposition of each person designated under Rule 30(b)(6) should be considered a separate deposition.” 2000 Notes to Fed. R. Civ. P. 30, ¶ 3.