

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CROSSROADS SYSTEMS, INC.	§	
	§	
Plaintiff,	§	C.A. NO. 1:13-cv-00800-SS
	§	
v.	§	
DOT HILL SYSTEMS CORP.,	§	
	§	
Defendant.	§	
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v.	§	
ORACLE CORPORATION,	§	C.A. NO. 1:13-cv-00895-SS
	§	
Defendant.	§	
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v.	§	
DELL INC.	§	C.A. NO. 1:13-cv-01023-SS
	§	
Defendant.	§	
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v.	§	
HUAWEI TECHNOLOGIES CO., LTD.,	§	C.A. NO. 1:13-cv-01025-SS
HUAWEI ENTERPRISE USA, INC.,	§	
AND HUAWEI TECHNOLOGIES USA,	§	
INC.,	§	
	§	
Defendants.	§	
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v. §
TANDBERG DATA CORPORATION § C.A. NO. 1:13-cv-01026-SS
§
Defendant. §

v. §
CISCO SYSTEMS, INC. § C.A. NO. 1:14-cv-00148-SS
§
Defendant. §

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

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

**PLAINTIFF CROSSROADS SYSTEMS, INC.'S OBJECTIONS AND RESPONSES TO
DEFENDANTS' FIRST SET OF COMMON INTERROGATORIES**

Pursuant to Federal Rule of Civil Procedure 33, Plaintiff Crossroads Systems, Inc. (“Crossroads”) responds as follows to Defendants’ in the above-captioned cases (“Defendants”) First Set of Common Interrogatories to Plaintiff:

GENERAL STATEMENT AND OBJECTIONS

1. The following responses are based on discovery available as of the date hereof. Discovery is continuing, and these responses are accordingly subject to revision. Further discovery, independent investigation and analysis may supply additional facts and add meaning to known facts, as well as establish entirely new factual conclusions and legal contentions, all of which may lead to additions to, changes to, or variations from the information herein set forth.

2. In addition to any specific objections which may be made on an individual basis in the separate responses set forth below, Crossroads objects generally to these requests to the extent that they seek to elicit information subject to and protected by the attorney-client privilege and/or the work-product doctrine. Nothing contained herein is intended to be or should be construed as a waiver of the attorney-client privilege, work-product protection or any other applicable privilege, protection or doctrine.

3. These responses are made solely for the purpose of this action and are subject to all objections as to competence, authenticity, relevance, materiality, propriety, admissibility and any and all other objections and grounds which would or could require or permit the exclusion of any document or statement therein from evidence, all of which objections and grounds are reserved and may be interposed at the time of trial.

4. Crossroads objects to these requests to the extent that they seek information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence herewith.

5. Crossroads objects to these interrogatories to the extent that they seek confidential documents and things pertaining to an individual who is not a party to this litigation and whose right of privacy is protected by Federal and/or State statutory or common law rights of privacy. Crossroads further objects to these requests to the extent that they seek documents and things that are subject to confidentiality agreements, protective orders or other confidentiality obligations owed to third parties.

6. Crossroads objects generally to these interrogatories to the extent they seek to impose obligations or requirements on Crossroads which are greater than or different from those imposed by the Federal Rules of Civil Procedure and/or the Local Rules of the United States District Court for the Western District of Texas.

7. Crossroads objects to these interrogatories as overbroad, unduly burdensome and oppressive to the extent that they fail to specify any relevant time period, and thus are neither limited to events relevant to this litigation nor reasonably calculated to lead to the discovery of admissible evidence.

8. Crossroads objects to the definitions to the extent that they seek to impose obligations on Crossroads that exceed or are inconsistent with the requirements of the Federal Rules of Civil Procedure, the Local Rules or any other applicable rules, law or order, including the process for withholding information or documents based on attorney client privilege, the work product immunity or any other privilege or immunity.

9. Crossroads objects to these interrogatories to the extent they seek discovery of materials within the scope of Federal Rule of Civil Procedure 26(b)(4)(A) and therefore constitute an improper and/or premature attempt to conduct discovery of expert opinion.

10. Crossroads objects to the definition of “you” and “your,” to the extent that such definition seeks Crossroads to produce documents or provide information that is either not within the possession, custody or control of Crossroads, or that is subject to the attorney-client privilege or the work product doctrine.

11. Crossroads further objects to each and every request herein to the extent that such request seeks to impose upon Crossroads an obligation to investigate or discover information, materials or documents from third parties that are not within the possession, custody or control of Crossroads, regardless of whether such information, materials or documents are equally accessible to Defendants. Crossroads will not produce documents in the custody or control of any other persons or non-parties that are not in the possession, custody or control of Crossroads.

12. Crossroads objects to each and every interrogatory to the extent such an interrogatory seeks information that is already in Defendants’ possession or is equally available to Defendants from other sources that are more convenient, less burdensome and/or less expensive.

13. Crossroads objects to each and every interrogatory to the extent that the number thereof, including subparts, exceeds the number allowed.

14. No incidental or implied admissions are intended by the responses herein. The fact that Crossroads has answered or objected to any interrogatory, should not be taken as an admission that Crossroads accepts or admits the existence of any “facts” set forth or assumed by such interrogatory. The fact that Crossroads has answered part or all of any interrogatory is not intended to be, and shall not be construed to be, a waiver by Crossroads of any part or any objection to any interrogatory.

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