

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CHRIMAR SYSTEMS, INC., et al,	§	
	§	
v.	§	
	§	Civil Action No. 6:15-cv-163 -JDL
ALCATEL-LUCENT USA, INC., et al.	§	
(LEAD CASE)	§	
	§	

ORDER

Before the Court is Defendants Alcatel-Lucent USA Inc., Alcatel-Lucent Holdings, Inc., ALE USA Inc., and AMX, LLC’s Emergency Motion to Compel the Production of Plaintiffs’ California Damages Expert Report. (Doc. No. 159.) Plaintiffs Chrimar Systems, Inc. and Chrimar Holding Company, LLC (“Chrimar”) have filed a response in opposition (Doc. No. 164), and Defendants have filed a reply (Doc. No. 173). Upon consideration, Defendants’ motion (Doc. No. 159) is **DENIED**.

Defendants seek production of the damages expert report of Plaintiffs’ damages expert, Robert Mills, that was created for a litigation currently pending in the Northern District of California (N.D. Cal. 4:13-cv-1300). That report is indisputably subject to a protective order issued by the California court in that case. Because this document is subject to a protective order issued by the court in California, the appropriate means to obtain the relief sought is to seek the assistance of the California court. For example, Defendants may issue a subpoena for the document they seek that would properly allow the California court to determine its enforceability. This Court is not in the position to interpret another court’s protective order or to order the production of a document that contains confidential information subject to such an order.

Accordingly, it is **ORDERED** that Defendants' motion to compel (Doc. No. 159) is **DENIED**.

So **ORDERED** and **SIGNED** this 25th day of May, 2016.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE