UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 10-1305 JVS (FFMx)	Date	September 28, 2010
Title	APELDYN CORPORATION v. AU OPTRONICS CORPORATION, et al.		

Present: The Honorable	Frederick F. Mumm, United States Magistrate Judge

J. Muñoz	N/A
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendants:
None Present	None Present

Proceedings: **(IN CHAMBERS) RULING ON SUBMITTED MATTER**

This Court previously took under submission the issue of whether non-party Vizio, Inc. waived its attorney-client and work product privileges by failing to respond timely to a subpoena served by plaintiff. After further review, the Court finds that although Vizio waived its objections by failing to timely assert them, in this instance, particularly given the breath of the document requests, the Court finds that it would be inappropriate to hold Vizio to its waiver. Accordingly, the Court rules that Vizio may assert objections based on attorney-client and work product information to the document requests contained in the subpoena. *See, e.g., Rutherford v. U.S.*, 2008 WL 3843437, *3 (S.D. Cal. 2008).

IT IS SO ORDERED.

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Initials of Preparer JM