United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

LML HOLDINGS, INC.,

Plaintiff,

vs.

PACIFIC COAST DISTRIBUTING INC. *et al.*,

Defendants.

Case No.: 11-CV-06173 YGR

ORDER REGARDING PARTIES' LETTER BRIEF CONCERNING DISCOVERY DISPUTE

A status conference for purposes of discussing all outstanding issues before the Court was held on April 5, 2013. Stuart C. Clark appeared for plaintiff and counter-defendant, and Colby B. Springer, Esq. appeared for defendants and counterclaimants Pacific Coast Distributing, Inc., Petsmart, Inc., Petsmart Store Support Group, Inc., and Coastal Pet Products, Inc. ("Defendants").

Having considered the written submissions and arguments of counsel at the April 5, 2013 hearing, **IT IS ORDERED** that:

1. LML Holdings, Inc. ("LML") may file a motion for partial summary judgment on the issue of infringement. The Court set a briefing schedule (*see* Dkt. No. 109).

2. With regard to the disputed discovery issues, the Court rules as follows:

(a) LML's request to compel responses to its Interrogatories 1, 2, and 3 is **DENIED AS MOOT**, based upon the Defendants' representation that they will provide the requested information;

(b) Defendants' request to compel LML to provide supplemental infringement contentions, or any other relief with respect to those contentions, is **DENIED**; and

(c) Defendants' request to compel LML to respond further to their Requests for Admission 1 through 135 is **GRANTED IN PART** and **DENIED IN PART**. Defendants shall specifically identify the harness(es) referenced in their Requests for Admission that constitute

prior art, including when the harness(es) came into existence and by whom (*i.e.*, whose harness is it?). LML shall respond only to those Requests for Admission that reference the harness(es) so identified.

This Order Terminates Docket Number 103.

IT IS SO ORDERED.

Date: April 10, 2013

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

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