

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CISCO SYSTEMS, INC., ET AL.,

Plaintiffs,

v.

OPENTV INC., ET AL.,

Defendants.

Case No.: 5:13-CV-0282-EJD

**ORDER DENYING DEFENDANTS'  
ADMINISTRATIVE MOTION TO  
CLARIFY**

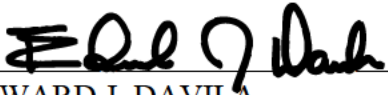
Presently before the court is Defendants OpenTv Inc. and Nagra USA, Inc.'s (collectively, "Defendants") Administrative Motion to Clarify that Discovery is Not Yet Open (Dkt. No. 63). Specifically, Defendants request the following clarification: "clarify that discovery should not proceed until after the hearing" on pending dispositive motions. As to that specific relief, the motion is DENIED.

However, to the extent such information is of assistance to the parties, the court clarifies its previous Order Denying Cisco's Motion for Leave to Conduct Jurisdictional Discovery ("Jurisdictional Discovery Order") (Dkt. No. 46) as follows:

- In the Jurisdictional Discovery Order, the court denied Cisco's request to conduct jurisdictional discovery before filing its response to Defendants' pending Motion to Dismiss (Dkt. No. 21). The court further ordered Cisco to file its response to Defendants' Motion to Dismiss by June 6, 2013. Cisco has since timely filed its response, without the benefit of jurisdictional discovery. See Dkt. No. 48.
- The Jurisdictional Discovery Order pertained only to Cisco's request to conduct jurisdictional discovery before the filing of its response to Defendants' Motion to Dismiss. It did not purport to alter the timing and sequence of discovery provided for by Federal Rule of Civil Procedure 26(d) as that issue was not presented as part of that motion.

**IT IS SO ORDERED.**

Dated: August 13, 2013

  
\_\_\_\_\_  
EDWARD J. DAVILA  
United States District Judge

United States District Court  
For the Northern District of California