UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CASIO INC., **Plaintiff** **v.** **PAPST LICENSING GMBH & CO. KG** **Defendant.**	**Case No. 1:06-CV-01751** **Judge: Gladys Kessler**
PAPST LICENSING GMBH & CO. KG, **Counter-Plaintiff** **v.** **CASIO INC. and CASIO COMPUTER CO., LTD.** **Counter-Defendants**	

CASIO INC.'S REPLY MEMORANDUM IN SUPPORT OF ITS MOTION TO COMPEL AND FOR SANCTIONS

The Opposition Memorandum of Papst Licensing focuses exclusively on whether there has been a Rule 26(f) Conference and so misses the point of Casio's motion entirely. We will not again debate the 26(f) issue here.

On March 13, 2007, this Court ordered that discovery proceed. Papst refuses to comply with that order. They instead try to hide from discovery behind a claim that a Rule 26(f) Conference has not taken place. Papst's attorneys are experienced litigators, and so must know that this is a frivolous excuse given the Court's order. Fed.R.Civ.P. 26(d) (precluding discovery until Rule 26(f) conference unless otherwise ordered); see *also Tota v. Abdella*, 06-CV-636S, 2007 U.S. Dist. LEXIS 21262, at *3 (W.D.N.Y. March 26, 2007) (discovery could proceed despite no 26(f) conference, per court order).

Casio urges the Court to also consider that Papst still refuses to proceed with discovery, despite having read our Opening Memorandum and its express citation (page 4) to Rule 26(d).

We respectfully request entry of our Proposed Order submitted with our motion.

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