

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITY OF ROSEVILLE EMPLOYEES'
RETIREMENT SYSTEM,

Plaintiff,

v.

APPLE INC., et al.,

Defendants.

Case No. 19-cv-02033-YGR (JCS)

**ORDER TO LODGE DOCUMENTS
AND FILE LOG OF LODGED
DOCUMENTS**

Presently before the Court is Plaintiff's Motion to Compel Documents Withheld as Privileged ("Motion to Compel"). Dkt. Nos. 227, 232-3. A hearing on the Motion was held on April 15, 2022 and the parties have filed supplemental briefs after conducting further meet-and-confer efforts. Based on its review of the parties' briefs, the Court concludes that it may be appropriate to review some or all of the documents that remain in dispute to determine whether the "primary or predominate purpose" of the documents or redacted material is the provision of "legal advice or assistance." The Court therefore requests that Defendants electronically lodge the documents that remain in dispute – as well as the documents to which disputed documents were attached where privilege is claimed as to the attached document only -- with the Court no later than **July 20, 2022**. The documents and passcode can be sent by a secure link to jcsपो@cand.uscourts.gov. Counsel may contact Ms. Karen Hom, Courtroom Deputy, at Karen_Hom@cand.uscourts.gov or (415) 522-2035 with any questions relating to lodging the documents with the Court.

The lodged documents should be organized by category using the five topics addressed in the briefs, *ie.*, documents related to the Investor Letter, documents related to the *Nikkei* article,

some emails, documents from the files of non-attorneys and attachments. In addition, the Court

1 requests that Defendants file on the public docket a log that lists the documents lodged with the
2 Court in the same order, also grouped by topic, and provides for each document all of the
3 information contained in Defendants' privilege log as well as citations to the specific
4 declaration(s) that supports the assertion of privilege as to that document, including the relevant
5 lines or paragraphs of the declaration.

6 A further hearing on the Motion is set for **July 29, 2022 at 9:30 a.m.** to be conducted by
7 Zoom webinar (id. 161 926 0804, password 050855).

8 **IT IS SO ORDERED.**

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10 Dated: July 13, 2022

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13 JOSEPH C. SPERO
14 Chief Magistrate Judge
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United States District Court
Northern District of California