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8 ATTORNEYS FOR PLAINTIFF
 9 OPTRONIC TECHNOLOGIES, INC.

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 11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

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 15 OPTRONIC TECHNOLOGIES, INC., d/b/a
 Orion Telescopes & Binoculars ®, a California
 16 corporation,

17 Plaintiff,

18 v.

19 NINGBO SUNNY ELECTRONIC CO., LTD.,
 SUNNY OPTICS, INC., MEADE
 20 INSTRUMENTS CORP., and DOES 1 - 25,

21 Defendants.

Case No: 5:16-cv-06370-EJD-VKD

**~~PROPOSED~~ ORDER REGARDING
 PRESERVATION OF POSSIBLE
 EVIDENCE**

Judge: Hon. Edward J. Davila

Compl. Filed: Nov. 1, 2016

First Am. Nov. 3, 2017

Compl.:

Final Pretrial Oct. 10, 2019

Conf.:

Trial Date: Oct. 15, 2019

Judgment: Dec. 5, 2019

Final Judgment: April 9, 2020

1 In light of Defendant and Judgment Debtor Ningbo Sunny Electronic Co., Ltd.’s (“Ningbo
2 Sunny”) failure to comply with multiple Court Orders requiring the production of documents and
3 other information to Plaintiff and Judgment Creditor Optronic Technologies, Inc. (“Orion”), the
4 Court issues this Order regarding the preservation of documents and information in the possession
5 of Ningbo Sunny’s present and former counsel.

6 On June 1, 2020, the Court ordered Ningbo Sunny to produce certain documents or
7 information to Orion. (ECF No. 672.) The Court subsequently extended the deadline for Ningbo
8 Sunny’s production to July 10, 2020. (ECF No. 695.)

9 On July 2, 2020, this Court ordered Ningbo Sunny to produce other documents and
10 information to Orion by July 13, 2020. (ECF No. 703.)

11 Ningbo Sunny has not complied with any of the Orders above, and its counsel has advised
12 the Court that Ningbo Sunny has refused to authorize its counsel to produce documents and
13 information pursuant to the above-referenced orders. The Court notes that Ningbo Sunny’s counsel
14 filed a motion to withdraw as counsel on July 9, 2020, which remains pending.

15 In light of the foregoing, the Court finds it appropriate to provide guidance and certainty to
16 Ningbo Sunny’s present and former counsel regarding their obligations to preserve documents and
17 information provided to them by Ningbo Sunny. The Court therefore ORDERS as follows:

- 18 1. Notwithstanding any contrary direction from Ningbo Sunny, Kevin J. Cole and the
19 KJC Law Group shall maintain and preserve all documents and information in their
20 possession provided by Ningbo Sunny.
- 21 2. Notwithstanding any contrary direction from Ningbo Sunny, Sheppard Mullin
22 Richter & Hampton LLC shall maintain and preserve all documents and information
23 in their possession provided by Ningbo Sunny.

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1 This Order is without prejudice to Ningbo Sunny’s right to move to vacate this Order upon
2 a showing that it has discharged its discovery obligations.

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4 **IT IS SO ORDERED.**

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6 Dated: July 16, 2020



Hon. Edward J. Davila
United States District Judge

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