

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SILICON GRAPHICS, INC.,

Plaintiff,

v.

ATI TECHNOLOGIES ULC,

Defendant,

and

ATI TECHNOLOGIES ULC,

Counterclaim Plaintiff,

v.

SILICON GRAPHICS, INC.,

Counterclaim Defendant.

ORDER

06-C-611-C

On May 4, 2007, this court held a telephonic hearing on plaintiff Silicon Graphics, Inc.'s motion to compel discovery (dkt. 102) and defendant ATI Technologies, Inc.'s motion to compel discovery (dkt. 113). Both sides were represented by counsel. For reasons stated during the hearing, I granted in part and denied in part each motion.

My directions to the parties at the hearing speak for themselves, so this order serves merely as an overview. With regard to SGI's motion, to the extent the parties agreed on disclosure of issues raised in the motion prior to the hearing, the court expects the prompt, efficient and amicable exchange of information. As to issue 6(b) regarding game console chip technology, I directed that the parties find and retain a third-party attorney and/or expert

to serve as the buffering intermediary for Nintendo's highly confidential information. I leave it to the parties to work out the details in compliance with the court's directions; I remain available to referee residual disputes once the parties undertake actual implementation. Both sides will bear their own costs on SGI's motion.

As for ATI's motion, not later than August 1, 2007 SGI must provide to the court for *in camera* review information responsive to the disputed discovery regarding possible Rule 11 sanctions. These disclosures may – probably should – include an affidavit from SGI's 30(b)(6) witness on the topic.

What happens next regarding both sets of information depends on what the third party reviewers and this court conclude as a result of their reviews. Both sides have the right to provide additional input before additional action is taken.

As discussed during our hearing, it may be that the third-party review, along with the court's imminent rulings on pending motions, requires us to adjust the schedule. We will not, however, go looking for scheduling trouble; we will wait for scheduling trouble to find us. The parties promptly should contact the court if they feel the need for relief from any of the current deadlines.

The parties had no other substantive matters to bring to the court's attention.

Entered this 4th day of May, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge