

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA**

Tesla, Inc. v. Proception, Inc.

No. 25-cv-04963-SVK, United States District Court for the Northern District of California (June 26, 2025)

OPINION

Tesla, Inc. v. Proception, Inc.

PER CURIAM.

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4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 TESLA, INC., Case No. 25-cv-04963-SVK 8 Plaintiff,

ORDER SETTING BRIEFING

9 v. SCHEDULE

10 PROCEPTION, INC., et al., Re: Dkt. Nos. 14, 15, 16, 32 11 Defendants. 12 Before the Court
are several motions filed by Plaintiff Tesla, Inc. (“Tesla”): a Motion for 13 Preliminary Injunction,
(Dkt. 14, “PI Motion”); a Motion for Expedited Discovery, (Dkt. 15); 14 and an Administrative
Motion to Shorten Time for Plaintiff’s Motion for Expedited Discovery, 15 (Dkt. 16, “Motion to
Shorten time”). Defendants Proception, Inc. and Zhongji Jay Li 16 (collectively, “Defendants”)
have opposed the Motion to Shorten Time, (Dkt. 30), and Tesla has 17 filed an Administrative
Motion for Leave to File a Reply as to the Motion to Shorten Time, (Dkt. 18 32). With these
motions pending, and having considered the Parties’ submissions and the relevant 19 law, the
Court sets the following briefing schedule and ORDERS as follows: 20 • PI Motion: The Court
agrees with Defendants that, even on an expedited 21 schedule, discovery responses would not be
due until after the deadline for Tesla’s 22 reply and thus would be of no aid to this Court. To
further the interests of judicial 23 efficiency, and to allow sufficient time for the Parties and the
Court to address the 24 motion for expedited discovery and, if granted, the fruits of discovery, the
Court 25 suspends briefing of the PI Motion pending resolution of the Motion for 26 Expedited
Discovery or further order of this Court. 27 • Administrative Motion for Leave: “Unless otherwise
ordered, a Motion for] hearing on the day after the opposition is due.” Civ. L.R. 7-11(c).
Ordinarily, no 2 reply is provided for. See id. In the analogous sur-reply context, this District 3
permits supplementary material only when a new and relevant judicial opinion is 4 published or
when responding to new evidence. Civ. L.R. 7-3(d). Tesla’s 5 proffered reply seeks to: (1)
distinguish assertedly “inapposite case law” cited by 6 Defendants and (2) present, for context,
facts omitted from the opposition. Dkt. 7 32. at 2. Guided by the Local Rules, this Court will
accept and consider only the g latter part of Tesla’s proffered reply (Dkt. 32-1, § II(b) and Dkt. 32-

3). Tesla's 9 Motion for Leave is thus GRANTED IN PART and DENIED IN PART. 10 e Motion to Shorten Time and Briefing for Expedited Discovery: "The district 11 court has considerable latitude in managing the parties' motion practice..." zs 12 Hiranek v. Clark, No. 13-cv-00228-RMW, 2016 WL 11033962, at *1 (N.D. E 13 Cal. Mar. 29, 2016). Contrary to Defendants' position, the Court does not agree 14 that shortening the time for briefing and argument of the Motion for Expedited 3 15 Discovery will prejudice Defendants. Contra Dkt. 30 at 8. Tesla has sought to 16 shorten the period for Defendants to respond to the Motion for Expedited 5 17 discovery by only one day and shortens its own reply period by five days. See 5 18 Dkt. 16-3 at 2. In the interests of judicial efficiency and fairness the Parties, the 19 Court sets the following schedule for the Motion for Expedited Discovery: 20 o Defendants' Opposition due: June 30, 2025 by 12:00pm Noon. 1 o Tesla's Reply due: July 2, 2025 by 12:00pm Noon. 2 o Hearing: July 3, 2025 at 9:30am via remote videoconference. 23 04 SO ORDERED. 5 Dated: June 26, 2025 26 Stem veYul

SUSAN VAN KEULEN

28 United States Magistrate Judge