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Attorneys for Plaintiff Sonos, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SONOS, INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Case No. 3:21-cv-07559-WHA
Related to Case No. 3:20-cv-06754-WHA

**SONOS, INC.'S RESPONSE TO ORDER
(DKT. 204)**

Second Amended Complaint Filed:
February 23, 2021

1 Your Honor, we find ourselves in a vexing situation. The law clerk on this case has assisted
2 you in important decisions despite an ethical conflict that he has belatedly sought to cure, albeit in
3 a way that the law does not recognize as a cure. *See* Dkt. 203 at 2-4. Based on our own inquiries
4 we have reason to believe that this clerk also previously worked for opposing counsel, including
5 with a senior member of the trial team for this case, during the pendency of this dispute. This is a
6 hard-fought litigation to say the least. So we trust that you can imagine our concerns regarding this
7 abrupt development, which is compounded by our uncertainty regarding the relevant facts. That
8 said, as your Honor has satisfied yourself that, notwithstanding some appearances, your clerk can
9 handle his duties impartially, we will not be filing a recusal motion. We have emphasized from the
10 outset that our hope is to move towards trial expeditiously and we look forward to doing so.

11
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13 Dated: May 27, 2022

14 By: /s/ Clement Seth Roberts

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