

ENTERED

April 22, 2020

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

HEWLETT-PACKARD COMPANY,

Plaintiff,

v.

QUANTA STORAGE INC. *and*
QUANTA STORAGE AMERICA
INC.,

Defendants.

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Civil Action No. H-18-762

ORDER

Pending before the Court is Plaintiff’s Motion for Show Cause Hearing Regarding Quanta’s Non-Compliance with Court’s Turnover Order (Document No. 425). Having considered the motion, submissions, and applicable law, the Court determines the motion should be denied without prejudice at this time.

On October 15, 2019, a jury trial commenced in this anti-trust suit brought by Plaintiff HP Inc. (formerly known as Hewlett-Packard Company) (“HP”). On October 22, 2019, the jury returned a verdict in favor of HP in the amount of \$176,000,000.00. On January 2, 2020, the Court granted HP’s motion to amend the judgment by, *inter alia*, awarding HP \$438,650,000.00.¹ On April 1, 2020, after Defendant Quanta Storage Inc. (“Quanta”) failed to post the supersedeas bond

¹ *Order*, Document No. 333; *Order*, Document No. 334.

ordered by this Court, the Court granted in part HP's motions re-urging requests for post-judgment relief and for a writ of execution.² As relevant here, the Court granted HP's request that Quanta be ordered to turn over all of Quanta's nonexempt property and to further turn over all documentary evidence of Quanta's nonexempt property under the Texas Turnover Statute, Tex. Civ. Prac. & Rem. Code § 31.002 (the "Turnover Order").³ On April 13, 2020, HP moved for a show cause hearing, contending Quanta did not comply with the Turnover Order.

Having considered the motion, submissions, and applicable law, the Court determines Quanta should be ordered to fully comply with the Turnover Order by May 1, 2020, or to show cause as to why Quanta should not be immediately held in contempt—without further action by HP—and sanctioned a rate of \$50,000.00 per day until it fully complies with the Turnover Order.⁴ Accordingly, the Court hereby

ORDERS that Plaintiff's Motion for Show Cause Hearing Regarding Quanta's Non-Compliance with Court's Turnover Order (Document No. 425) is **DENIED WITHOUT PREJUDICE** at this time. The Court further

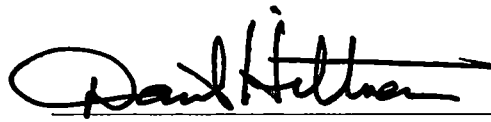
² *Order*, Document No. 424.

³ *Order*, Document No. 424.

⁴ The Court notes Quanta asserts principles of comity and Taiwanese law preclude Quanta's compliance with the Turnover Order. Based on the plain language of the Turnover Order and the Court's jurisdiction over this case and Quanta, the Court disagrees. *See Reeves v. Fed. Sav. & Loan Ins. Corp.*, 732 S.W.2d 380, 381–82 (Tex. App.—Dallas 1987, no writ).

ORDERS that Quanta must fully comply with the Turnover Order by May 1, 2020, or show cause as to why Quanta should not be immediately held in contempt—without further action by HP—and sanctioned a rate of \$50,000.00 per day until it fully complies with the Turnover Order.

SIGNED at Houston, Texas, on this 22 day of April, 2020.

A handwritten signature in black ink, appearing to read "David Hittner", written over a horizontal line.

DAVID HITTNER
United States District Judge