

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROYLENE RAY, *et al.*,

No. C-06-1807 JSW (EMC)

Plaintiffs,

v.

**ORDER RE HEARING ON  
SEPTEMBER 10, 2008**

BLUEHIPPO FUNDING, LLC, *et al.*,

Defendants.

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The Court held a hearing on September 10, 2008, during which it addressed a discovery dispute between Plaintiffs and BlueHippo regarding the scheduling of depositions. This order memorializes the Court’s rulings and provides additional rulings where necessary.

BlueHippo asks that the depositions of its 30(b)(6) witness(es) and of Mr. Rensin (assuming that his deposition will proceed) be deferred by several weeks. The Court agrees with BlueHippo that there is potentially some benefit to a deferral as by that time Judge White may have ruled on Plaintiffs’ motion to amend the complaint. Whether Judge White grants or denies the motion to amend, the ruling will help define the scope of each deposition. Moreover, Plaintiffs have failed to identify any prejudice that they would suffer if the depositions were delayed by several weeks, especially since Judge White has altered the deadlines for, *inter alia*, class certification briefing and hearing.

Accordingly, the Court hereby **GRANTS** BlueHippo’s request that the depositions be rescheduled. More specifically, the 30(b)(6) deposition(s) shall take place on October 2 and 3,

1 2008.<sup>1</sup> As for the deposition of Mr. Rensin, assuming that it shall proceed, it shall take place on  
2 November 14, 2008.

3 To the extent that Plaintiffs wish to serve document requests on any Defendant so that they  
4 may depose Mr. Rensin about those documents, such requests must be served so that they are  
5 received by Defendants no later than October 10, 2008. Defendants shall then have until October  
6 17, 2008, to make any objection to the document requests. Similar to above, the objections must be  
7 served so that they are received on October 17. If there is any objection, the parties shall meet and  
8 confer to resolve the dispute. If the dispute is not resolved, then the parties shall file a joint letter  
9 (limited to three single-spaced pages) no later than October 27, 2008. If Judge White has not ruled  
10 on the motion to amendment by November 1, 2008, the parties shall proceed as to Mr. Rensin's  
11 potential deposition on the basis of the unamended complaint. Any documents to be produced shall  
12 be served no later than close of business, November 10, 2008.

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14 IT IS SO ORDERED.

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16 Dated: September 10, 2008

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19 EDWARD M. CHEN  
20 United States Magistrate Judge

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<sup>1</sup> Per the parties' agreement, there shall be a total of 10 hours for the 30(b)(6) deposition.