

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 INTERMARINE, LLC,
4 Plaintiff,

5 v.

6 SPLIETHOFF
7 BEVRACHTINGSKANTOOR, B.V., et al.,
8 Defendants.

Case No. [15-mc-80211-MEJ](#)

(S.D. Tex. Case No. 4:14-CV-00145)

**ORDER RE: MOTION TO QUASH
SUBPOENA**

Re: Dkt. No. 1

9 Non-party Dropbox, Inc., which is located in this District, has received a Subpoena to
10 Testify at a Deposition in *Intermarine, LLC v. Spliethoff Bevrachtingskantoor, B.V.*, 4:14-CV-
11 00145, currently pending in the United States District Court for the Southern District of Texas.
12 Intermarine subpoenaed Dropbox for deposition to authenticate and lay the foundation for the
13 admissibility of records Dropbox has already produced in response to a document subpoena.
14 Opp'n at 8, Dkt. No. 8. Dropbox now moves for an order quashing the Deposition Subpoena,
15 arguing it already provided a certificate of authenticity signed by a Dropbox records custodian
16 sufficient for Intermarine to authenticate the records at issue. Mot. at 2, Dkt. No. 1; Tyler Decl,
17 Ex. G, Dkt. No. 2. Dropbox has also provided a custodian affidavit. Tyler Decl., Exs. H-I. As
18 Dropbox has provided a certificate of authenticity and custodian affidavit for the records at issue,
19 it is not clear that a deposition is necessary, nor would one be required given Dropbox's status as a
20 non-party document storage and service that did not create any documents at issue. Accordingly,
21 the Court ORDERS the parties to meet and confer on this issue. If possible, the parties shall meet
22 and confer in person, but they may otherwise meet by videoconference. If unable to resolve their
23 dispute, the parties shall file a joint status letter in compliance with the undersigned's Discovery
24 Standing Order, available at <http://www.cand.uscourts.gov/mej>.

25 **IT IS SO ORDERED.**

26 Dated: August 17, 2015

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MARIA-ELENA JAMES
United States Magistrate Judge