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

GREGORY INGALLS,
Plaintiff,

No. C 16-03533 WHA

v.


SPOTIFY USA INC., a Delaware
corporation, and DOES 1–10, inclusive,
Defendants.

**ORDER DENYING
SUMMARY JUDGMENT**

Spotify’s second and successive motion for summary judgment is **DENIED** in light of fact issues. It will be easier to try the case than to sort through yet another mish-mash of finger-pointing. The Court is disturbed the Spotify failed to disclose plaintiff’s usage after the trial period in its Rule 26 initial disclosures. To make up for that, plaintiff may take up to two two-hour depositions and propound three narrowly drawn document requests so long as plaintiff pursues them in the next seven calendar days. Defendant must oblige the requests. The hearing on November 8 is hereby **VACATED**.

IT IS SO ORDERED.

Dated: October 30, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE