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United States District Court
For the Northern District of California

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

DANIEL GRACE, *et al.*,
Plaintiffs,

No. C 16-05165 WHA

v.

ALASKA AIR GROUP, INC., and
ALASKA AIRLINES, INC.,
Defendants.


**ORDER RE DISCOVERY
DISPUTE**

Although the undersigned judge does not subscribe to the so-called apex doctrine, at least in the form recited in defendant’s discovery letter, the Court is of the view that Mr. Cush should be deposed and that the two non-employee board members should not be deposed absent a very cogent offer of proof by plaintiffs, especially if we are to keep the December 12 trial date.

If plaintiffs’ counsel still wishes to justify the deposition subpoenas served, then the Court will schedule a conference to hear argument. Plaintiffs shall please respond by **NOVEMBER 14 AT NOON.**

IT IS SO ORDERED.

Dated: November 10, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE