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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PLANET AID, INC., et al.,  
Plaintiffs,  
v.  
REVEAL, CENTER FOR  
INVESTIGATIVE REPORTING, et al.,  
Defendants.

Case No. [17-cv-03695-MMC](#) (JSC)

**ORDER RE: DEPOSITION  
DISCOVERY DISPUTE**

Re: Dkt. No. 286

The parties have presented the Court with another discovery dispute. (Dkt. No. 286.) After reviewing the parties' joint letter brief and exhibits, the Court grants Plaintiffs' motion to compel the previously ordered depositions. The time to withdraw the declarations was prior to or at least at the discovery hearing so the Court could make its decision in context as Plaintiffs argued that these were relevant percipient witnesses separate and apart from their declarations. As Defendants acknowledge, the Court has been suggesting since 2018 that Defendants withdraw certain declaration if they do not want to engage in discovery relevant to what is set forth in the declarations. There is no excuse for suggesting that they will withdraw them (but not actually withdrawing them) nearly four months after the hearing and after confirming with Plaintiffs that the witnesses were being made available.

Accordingly, Defendants shall make the witnesses available for a video deposition within the next 30 days. The deposition shall not exceed four hours. The Court declines to award sanctions.

This Order disposes of Docket No. 286.

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**IT IS SO ORDERED.**

Dated: July 1, 2020

  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge