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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE NCAA STUDENT-ATHLETE NAME  
AND LIKENESS LICENSING  
LITIGATION

Case No. 09-cv-01967 CW (NC)

**ORDER GRANTING IN PART AND  
DENYING IN PART REQUEST  
FOR ADDITIONAL DEPOSITIONS**

Re: Dkt. No. 973

The NCAA moves to compel additional depositions of the named Antitrust Plaintiffs, excluding those plaintiffs newly named in the Third Consolidated Amended Complaint.

The NCAA argues that because Antitrust Plaintiffs added a new theory of liability near the close of discovery, the additional depositions are necessary. Having balanced the NCAA's need for the additional discovery against the burden to the Antitrust Plaintiffs, the Court grants in part and denies in part the NCAA's motion.

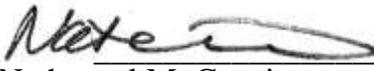
The NCAA may depose Damien Rhodes, Patrick Maynor, and Tyrone Prothro for two hours per witness, at a location convenient to the deponent, with the scope of the deposition limited to the live broadcast theory as described in the parties' letter brief. *See* Dkt. No. 973 at 1. According to Antitrust Plaintiffs, Rhodes, Maynor, and Prothro are the only Antitrust Plaintiffs who have claims based upon the live broadcast theory. Dkt. No.

1 973 at 6. The Court finds that the NCAA has failed to articulate what relevant information  
2 it expects to gather from athletes who do not have a claim under the live broadcast theory.  
3 The burden to the Antitrust Plaintiffs in deposing these other athletes outweighs the  
4 NCAA's minimal need for the additional testimony. Therefore the NCAA's request to  
5 depose Antitrust Plaintiffs other than Rhodes, Maynor, and Prothro is denied. The NCAA  
6 must complete the depositions of Rhodes, Maynor, and Prothro within 28 days of this order,  
7 unless the NCAA moves the Court and shows good cause for why a different deadline is  
8 necessary.

9 Any party may object to this order within fourteen days. Fed. R. Civ. P. 72(a).

10 IT IS SO ORDERED.

11 Date: February 10, 2014

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14 Nathanael M. Cousins  
15 United States Magistrate Judge  
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