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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MATTHEW CAMPBELL, et al.,
Plaintiffs,

v.

FACEBOOK INC.,
Defendant.

Case No. [13-cv-05996-PJH](#) (MEJ)

**ORDER DENYING TELEPHONIC
DISCOVERY CONFERENCE
REQUEST WITHOUT PREJUDICE
AND SETTING DEPOSITION AND
BRIEFING SCHEDULE**

Re: Dkt. No. 84

Pending before the Court is Plaintiffs' Motion for a Telephonic Discovery Conference concerning the deposition of Defendant Facebook Inc.'s declarant, Alex Himel. Dkt. No. 84. The Court requested that Facebook submit a declaration explaining why Mr. Himel was unavailable before July 8, 2015. Dkt. No. 86. Facebook timely filed Mr. Himel's Declaration, which describes his availability in the coming weeks. Dkt. No. 87.

Having reviewed this Declaration, the Court **ORDERS** Mr. Himel to appear for the deposition on July 1, 2015. Following this deposition, if the parties continue to dispute whether Plaintiffs may discover Facebook's source code, the briefing schedule for that discovery dispute shall be as follows: Plaintiffs' Motion due by July 9, 2015; Facebook's Opposition due by July 23, 2015; and Plaintiffs' Reply due by July 30, 2015. The Court shall conduct a hearing on August 13, 2015 at 10:00 a.m. in Courtroom B.

Given the foregoing, the Court finds a telephonic discovery conference unnecessary at this time and **DENIES** Plaintiffs' Motion **WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Dated: June 12, 2015



MARIA-ELENA JAMES
United States Magistrate Judge