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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SYNCHRONOSS TECHNOLOGIES, INC.,
Plaintiff,
v.
DROPBOX INC., et al.,
Defendants.

Case No. [4:16-cv-00119-HSG](#) (KAW)

**ORDER REGARDING 2/11/19 JOINT
LETTER**

Re: Dkt. No. 271

On February 11, 2019, the parties filed a joint discovery letter concerning Dropbox’s request for an order requiring Synchronoss to make expert Christopher Alpaugh available for two days of deposition. (Joint Letter, Dkt. No. 271 at 1.) Mr. Alpaugh’s deposition is noticed for March 18, 2019. *Id.* Synchronoss has produced two expert reports authored by Mr. Alpaugh—on infringement and damages, and validity— while Dropbox has designated two different experts on those topics. *Id.* As a result, Dropbox contends that it needs a total of fourteen hours to adequately depose Mr. Alpaugh. (Joint Letter at 2.)

In opposition, Synchronoss argues that the request is premature, and that the first seven hours should go forward after which the parties shall meet and confer regarding what additional time, if any, is necessary. (Joint Letter at 5.)

The Court disagrees. This is not a situation where Mr. Alpaugh is expected to testify on a single report, and Dropbox may require more time, based on the substance of his testimony. Rather, Dropbox knows that it requires more time, because Mr. Alpaugh is the designated expert on multiple topics. While Synchronoss may designate the expert of its choice, it cannot strategically do so in an effort to stifle Dropbox’s ability to properly depose an expert witness. Indeed, Dropbox should be able to adequately prepare for the depositions in advance.

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Accordingly, the Court orders Synchronoss to produce Mr. Alpaugh for two, seven-hour days. Each day will address a different expert report.

IT IS SO ORDERED.

Dated: February 28, 2019


KANDIS A. WESTMORE
United States Magistrate Judge