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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

PATRICK CALHOUN, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 5:20-cv-05146-LHK-SVK

~~PROPOSED~~ **ORDER APPOINTING  
COMMISSIONERS TO TAKE  
EVIDENCE PURSUANT TO CHAPTER  
II, ARTICLE 17 OF THE HAGUE  
CONVENTION OF 18 MARCH 1970 ON  
THE TAKING OF EVIDENCE ABROAD  
IN CIVIL OR COMMERCIAL MATTERS**

Judge: Honorable Lucy H. Koh

~~PROPOSED~~ ORDER

The Court, having reviewed the Joint Motion for Appointment of Commissioners to Take Evidence Pursuant to Chapter II, Article 17 of the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters (ECF No. 298 ), and supporting papers submitted by Plaintiffs and Defendant, Google LLC (“Google”)

**HEREBY ORDERS THAT:**

(a) The Joint Motion (ECF No. 298) is GRANTED;

(b) Pursuant to Article 17 of the Hague Convention, Remo Decurtins (the “Swiss Commissioner”), Lesley E. Weaver, and Josef Ansorge (together, the “Commissioners”) are duly appointed, pending the approval of the Swiss Federal Office of Justice (“FOJ”), as commissioners to take evidence in the above-captioned action, specifically in connection with the deposition of Tim Schumann in his individual capacity;

(c) This signed Order will be given to the counsel for the parties and the Swiss Commissioner who is directed to file it together with the necessary application for authorization from the relevant Swiss authorities within five (5) business days of the date of this order;

(d) Neither this Order, nor the terms of the Court’s Request (which is incorporated into this Order) shall restrict the scope of discovery otherwise permissible under the Federal Rules of Civil Procedure.

(e) Neither this Order, nor the terms of the Court’s Request (which is incorporated into this Order) shall constitute or operate as a waiver of the attorney-client privilege, the work product doctrine, or any other privileges, rights, or protections that may apply to evidence under the laws of Switzerland or the United States.

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**SO ORDERED.**

DATED: September 9, 2021

  
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HON. SUSAN van KEULEN  
United States Magistrate Judge