

1 PAUL J. RIEHLE (SBN 115199)
paul.riehle@faegredrinker.com
2 **FAEGRE DRINKER BIDDLE & REATH LLP**
Four Embarcadero Center, 27th Floor
3 San Francisco, CA 94111
Telephone: (415) 591-7500
4 Facsimile: (415) 591-7510

5 J. WESLEY EARNHARDT (*pro hac vice*)
wearnhardt@cravath.com
6 **CRAVATH, SWAINE & MOORE LLP**
825 Eighth Avenue
7 New York, New York 10019
Telephone: (212) 474-1000
8 Facsimile: (212) 474-3700

9 *Attorneys for Plaintiff Epic Games, Inc.*

10 [*Additional counsel on signature page*]

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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15 EPIC GAMES, INC.,
16 *Plaintiff,*

v.

17 APPLE INC.,
18 *Defendant.*

19 APPLE INC.,
20 *Counterclaimant,*

v.

21 EPIC GAMES, INC.,
22 *Counter-defendant.*

Case No. 4:20-cv-05640-YGR-TSH

**ORDER GRANTING STIPULATION
~~AND [PROPOSED] ORDER~~
PERMITTING NON-PARTY
DEPOSITION OF ADRIAN ONG OF
MATCH GROUP, INC. AFTER THE
NON-EXPERT DISCOVERY CUTOFF**

Hon. Yvonne Gonzalez Rogers

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STIPULATION AND ~~[PROPOSED]~~ ORDER PERMITTING NON-PARTY DEPOSITION OF ADRIAN ONG OF
MATCH GROUP, INC. AFTER THE NON-EXPERT DISCOVERY CUTOFF

1 WHEREAS, on October 6, 2020, this Court ordered a February 15, 2021, Non-Expert
2 Discovery Cutoff in its Case Scheduling and Pretrial Order (the “Scheduling Order”) (Dkt. 116) in
3 *Epic Games, Inc. v. Apple Inc.*;

4 WHEREAS, Epic served a deposition subpoena to take the deposition of Adrian Ong of
5 Match Group, Inc.;

6 WHEREAS, Mr. Ong’s deposition was scheduled to occur on February 15, 2021, prior to the
7 Non-Expert Discovery Cutoff;

8 WHEREAS, Mr. Ong’s counsel has informed the parties that Mr. Ong would be unable to
9 proceed with his deposition on February 15, 2021 due to an unexpected family medical emergency
10 but expects Mr. Ong will be available on February 22, 2021;

11 WHEREAS, Epic would like Mr. Ong’s deposition to be permitted to occur after the Non-
12 Expert Discovery Cutoff and has scheduled the deposition for February 22, 2021, and Apple does not
13 oppose given the reason provided for the delay;

14 THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED by the parties through
15 their respective counsel and pursuant to Civil L.R. 6-2 that Mr. Ong’s deposition may be taken up to
16 and including February 22, 2021 and may still be used at trial to the same extent as if it had been
17 taken within the fact discovery period without prejudice to any other objections any party may have.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: February 15, 2021

By: /s/ J. Wesley Earnhardt

CRAVATH, SWAINE & MOORE LLP

Christine Varney (*pro hac vice*)
Katherine B. Forrest (*pro hac vice*)
Gary A. Bornstein (*pro hac vice*)
J. Wesley Earnhardt (*pro hac vice*)
Yonatan Even (*pro hac vice*)
Lauren A. Moskowitz (*pro hac vice*)
Vanessa A. Lavelly (*pro hac vice*)
M. Brent Byars (*pro hac vice*)
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
cvarney@cravath.com
kforrest@cravath.com
gbornstein@cravath.com
wearnhardt@cravath.com
yeven@cravath.com
lmoskowitz@cravath.com
vlavelly@cravath.com
mbyars@cravath.com

FAEGRE DRINKER BIDDLE & REATH LLP

Paul J. Riehle (SBN 115199)

Attorneys for Plaintiff Epic Games, Inc.

Dated: February 15, 2021

By: /s/ David R. Eberhart

O'MELVENY & MYERS LLP

Anna T. Pletcher (SBN 239730)
David R. Eberhart (SBN 195474)
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111
Telephone: (415) 984-8700
Facsimile: (415) 984-8701
apletcher@omm.com
deberhart@omm.com

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O'MELVENY & MYERS LLP
Katrina Robson (SBN 229835)
Evan Schlom (SBN 300475)
Elena M. Zarabozo (SBN 321514)
1625 Eye Street, N.W.
Washington, DC 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
krobson@omm.com
eschlom@omm.com
ezarabozo@omm.com

O'MELVENY & MYERS LLP
Scott Schaeffer (SBN 277102)
Plaza 66, Tower 1, 37th Floor
1266 Nanjing Road West
Shanghai 200040, China
Telephone: 86-21-2307-7000
Facsimile: 86-21-2307-7300
sschaeffer@omm.com

Attorneys for Defendant Apple Inc.

1 **PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED.**

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3 DATED: February 18, 2021

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5 YVONNE GONZALEZ ROGERS
6 UNITED STATES DISTRICT JUDGE
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