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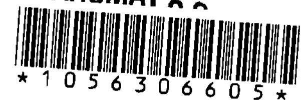
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SEP 28 2023

In the office of the
Court Clerk MARILYN WILLIAMS

**IN THE DISTRICT COURT IN AND FOR CLEVELAND COUNTY
STATE OF OKLAHOMA**

THE SUSTAINABLE JOURNALISM FOUNDATION *d/b/a* NONDOC MEDIA, *and* WILLIAM W. SAVAGE III, Plaintiffs,	)	
vs.	)	Case No. CV-2021-1770 Judge Tupper
THE STATE OF OKLAHOMA ex rel. BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA, Defendant.	)	

**PLAINTIFFS' MOTION TO COMPEL
<u>DEPOSITIONS AND FOR EXPENSES AND FEES</u>**

Pursuant to 12 O.S. §§ 3236(A)(2)–(4), 3020(E)(1), Plaintiffs respectfully request an order compelling additional deposition testimony from the University and awarding to Plaintiffs costs and fees as explained herein.

BACKGROUND

On April 13, 2023, Plaintiffs informed Defendant that they would seek to take the deposition of Defendant's designees pursuant to 12 O.S. §3230(C)(5). Plaintiffs' counsel discussed anticipated topics for the deposition with Defendant's counsel on a call on April 20, and served a notice with deposition topics on May 6. Pls.' Opp. & Mot. to Strike Def.'s Emergency Mot. for Disc. Conf. & Protective Order, Ex. 1, at ¶ 7 (filed herein May 26, 2023). A nearly identical set of deposition topics was served on May 18, which re-set the deposition for June 9.

Upon the University's motion, this Court heard argument and determined the topics on which the University was required to present and prepare a corporate witness. Specifically, the Court denied the University's motion to quash a corporate deposition and ordered that the "scope of the § 3230[(C)](5) deposition" was "to include [and] is limited to topics # 1, 2, 6, 7, 10, 11, 12 & 13" within a letter that Plaintiffs had written proposing to simplify the issues before the Court

prior to that hearing. Summary Order (filed June 5, 2023); *see also* June 5 Notice of Deposition, attached hereto as Exhibit 1 (listing the topics endorsed by the Court with cross-references to numbering in Plaintiffs' meet-and-confer letter).

Plaintiffs deposed Defendant's (the "University") selected representatives Heidi Long and Ferris Barger on June 9, 2023. The deposition was largely unproductive due to the witnesses' lack of preparation and cooperation, exacerbated by improper and unfounded instructions from counsel. The result was near total obstruction of Plaintiffs' efforts to conduct discovery and investigate relevant matters. Still, in an effort to avoid this motion, Plaintiffs discussed with Defendant the possibility of noticing individual capacity depositions rather than seeking additional § 3230(C)(5) testimony. However, Defendant maintained that it would move to quash the deposition of any of the individuals Plaintiff named—making efforts to schedule and notice depositions without further instruction from the Court futile and wasteful.

ARGUMENT AND AUTHORITIES

I. Plaintiffs are entitled to relief because of Defendant's failure to produce an appropriate witness and its improper interference with Plaintiffs' examination.

A. Defendant failed to produce an appropriate corporate representative.

Under the Discovery Code, the University bore the affirmative responsibility to "designate one or more officers, directors, or managing agents," and to apprise that person of the "matters on which that person will testify." 12 O.S. § 3230(C)(5). The University was also required to prepare its witnesses to testify not just to their personal knowledge—as in an individual deposition—but also to all "matters known or reasonably available to the organization." *Id.*

Courts interpreting the corollary federal rule routinely find that the failure to properly select or prepare a corporate representative to testify with the full knowledge of the organization is "tantamount to a failure to appear" and, therefore, "sanctionable." *Black Horse Lane Assoc., L.P.*

v. Dow Chem. Corp., 228 F.3d 275, 304 (3d Cir. 2000); *see, e.g., Starlight Int'l Inc. v. Herlihy*, 186 F.R.D. 626, 639 (D.Kan.1999) ("Corporations, partnerships, and joint ventures have a duty to make a conscientious, good-faith effort to designate knowledgeable persons for Rule 30(b)(6) depositions and to prepare them to fully and unevasively answer questions about the designated subject matter."); *The Bank of N.Y. v. Meridien BIAO Bank Tanzania Ltd.*, 171 F.R.D. 135, 151 (S.D.N.Y. 1997) ("'Producing an unprepared witness is tantamount to a failure to appear.'") (quoting *United States v. Taylor*, 166 F.R.D. 356, 363 (M.D.N.C. 1996)); *Turner v. Hudson Transit Lines, Inc.*, 142 F.R.D. 68, 78–79 (S.D.N.Y. 1991) ("[A] party that fails to provide witnesses knowledgeable in the areas requested in a Rule 30(b)(6) notice is likewise subject to sanctions."); *Thomas v. Hoffmann–LaRoche, Inc.*, 126 F.R.D. 522, 525 (N.D. Miss. 1989) ("Sanctions are appropriate when a party fails to comply with a request under Rule 30(b)(6) to provide a knowledgeable deponent to testify on behalf of the organization.").

i. *Lack of Knowledge and Preparation*

Ms. Long, formerly associate general counsel at the University, and Mr. Barger, the University's Open Records Director since fall 2021, were not properly apprised of the topics of the corporate deposition nor knowledgeable about those matters.

Such efforts were insufficient. *Peshlakai v. Ruiz*, No. CIV 13-0752 JB/ACT, 2014 WL 459650, at *23 (D.N.M. Jan. 9, 2014) ("[Rule 30(b)(6)] preparation requires a good faith effort by the designate to find out the relevant facts—to collect information, review documents, and interview employees with personal knowledge. The duty of preparation may require the interviewing of past employees.") (quoting *United States v. Magnesium Corp. of Am.*, No. 2:01-CV-40DB, 2006 WL 6924985, at *4 (D. Utah Nov. 27, 2006) (editing marks omitted)).

This lack of preparation showed repeatedly throughout the deposition.

[1] Plaintiffs have been informed that Ms. Gattoni passed away this summer. Prior to her passing, Plaintiffs had inquired with Defendant about deposing Ms. Gattoni, Bobby Mason, and Anil Gollahalli as a means of avoiding this motion. As noted, Defendant indicated that it would move to quash depositions noticed for any of those three individuals.

Again, failure to properly prepare a witness for a corporate deposition is construed by courts as the equivalent of failure to appear. *Black Horse Lane*, 228 F.3d at 303–04; *Starlight Int'l*, 186 F.R.D. at 639.

So, too, with Mr. Barger, the University's current Open Records Director,

ii. ***Improper Assertion of Privilege Arising from Unrelated Representation***

Aside from the deficits in her preparation, there is a significant question as to whether Ms. Long was even an appropriate corporate designee. Although it is a party's prerogative to select its own Section 3230(C)(5) representative, this person must be capable of satisfying the corporation's duty to testify. *See Peshlakai*, 2014 WL 459650 at *23 ("[T]he designating party has a duty to substitute an appropriate deponent when it becomes apparent that the previous deponent is unable to respond to certain relevant areas of inquiry." (quoting *Alexander*, 186 F.R.D. at 141)).

Defendant should not have selected a witness who could not—for reasons entirely personal to her—fulfill the role of corporate representative. *See Peshlakai*, 2014 WL 459650 at *23.

B. Plaintiffs encountered undue and impermissible interference with their deposition of the corporate representatives.

Not only did Defendant provide unprepared witnesses, but it then also obstructed whatever examination was possible by repeatedly instructing the witnesses to not answer questions on several dubious grounds. Generally speaking, "there are very few circumstances in which an instruction not to answer a deposition question is appropriate." *Brincko v. Rio Properties, Inc.*, 278 F.R.D. 576, 580–81 (D. Nev. 2011). Such an "instruction is presumptively improper." *Boyd v. Univ. of Md. Med. Sys.*, 173 F.R.D. 143, 147 (D. Md. 1997).

i. Unfounded Claims of Privilege

To be sure, the instruction not to answer can be warranted to preserve an attorney-client privilege. 12 O.S. § 3230(E)(1). But that privilege is "narrowly construed," *Lindley v. Life Invs. Ins. Co. of Am.*, 267 F.R.D. 382, 388 (N.D. Okla. 2010), and its applicability is a question of

fact. *See e.g.*, *id.* at 391; *Cooper v. State*, 1983 OK CR 154, ¶ 4, 671 P.2d 1168, 1172; *Hurt v. State*, 1956 OK CR 88, ¶ 13, 303 P.2d 476, 481. Naturally, then, it is improper to instruct a witness "to refuse to answer foundational questions designed to explore the applicability of [the] potential privilege." *Brincko*, 278 F.R.D. at 582. Indeed, doing so is a violation of Oklahoma law: "When a party withholds information otherwise discoverable under the Oklahoma Discovery Code by claiming that it is privileged . . . the party shall . . . describe the nature of the documents, communications, or things not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the applicability of the privilege or protection." Okla. Stat. tit. 12, § 3226(B)(5)(a).

The University's opaque and circuitous explanations for its various instructions merely aggravates the prejudice to Plaintiffs. The law on this point "is clear: a party withholding discoverable information on the basis of privilege must, in addition to making the claim, provide information sufficient to support the privilege claim." *Rg Abrams Ins. v. L. Offs. of C.R. Abrams*, 2021 WL 10312431, at *19 (C.D. Cal. 2021). Ultimately, "the party seeking the discovery must be provided the information necessary to test the privilege at the time the discovery is withheld." *Id*; *see also Buffalo Meat*, 2018 WL 3213288, at *6. The University's "blanket assertion of privilege" as to all facts underlying the reports simply "does not allow the court to assess the applicability of the privilege." *UltiMed*, 2008 WL 4849034, at *3.

These rules apply to many lines of questioning foreclosed by the University.

It was also improper for the University to repeatedly instruct its witness not to answer questions about facts that may prove *waiver* of a privilege. *E.g.*, *Sprint Corp.*, 258 F.R.D. at 444; *Neuberger Berman Real Est. Income Fund, Inc. v. Lola Brown Tr. No. 1B*, 230 F.R.D. 398, 421 n.27 (D. Md. 2005).

Admittedly, the University may believe that some of these lines of inquiry "implicated" the attorney-client privilege. *See Brincko*, 278 F.R.D. at 583. Surely, however, Plaintiffs must have "reasonable latitude during the deposition" to present questions targeting "relevant information concerning the assertion of privilege." *Neuberger*, 230 F.R.D. at 421. Indeed, "the only way to assess the potential applicability of [the privilege] would be to learn predicate facts during discovery." *Snyder v. Alight Sols., LLC*, 2021 WL 6103185, at *4 (C.D. Cal. 2021). For these reasons, the University's "assertion of the privilege is overly broad and the facts underlying [the Reports] are not privileged." *UltiMed*, 2008 WL 4849034, at *3.

ii. *Improper Objections and Instructions*

Defense counsel impermissibly instructed the University's designees not to answer questions that he felt were beyond the scope of the noticed topics for the deposition. Ex. 2 at p. 15, lns. 5–22; *id.* at p. 26, lns. 11–26; *id.* at pp. 28–29, lns. 20–4; *id.* at p. 35, lns. 20–23. But the purpose of noticing topics for a corporate representative deposition is so that the corporate party can *properly prepare* a witness. *Payless Shoesource Worldwide, Inc. v. Target Corp.*, No. 05-4023-JAR, 2008 WL 973118, at *9 (D. Kan. Apr. 8, 2008).[2] The effect of these topics is *not* to limit the scope of the deposition.[3] *Id.* ("[R]elevant questions may be asked and no special protection is conferred on a deponent by virtue of the fact that the deposition was noticed under 30(b)(6)."). In other words, the topic list functions to place a duty on the party being deposed—not to limit the examination of the party conducting the deposition. *See Marksberry v. FCA US LLC*, 2021 WL 2142655, at *5 (D. Kan. May 26, 2021) (observing that "when an 'outside the scope' objection is made . . . the witness must nevertheless answer the question because Fed. R.

[2] "[W]hen the party objects to the questions posed by the examining party as outside the scope of matters noticed . . . the general deposition rules govern (*i.e.*, Fed. R. Civ. P. 26(b)(1)) . . . . However, if the deponent does not know the answer to the questions *outside the scope of the matters described in the notice*, then that is the examining party's problem." (quoting *Starlight Int'l v. Herlihy*, 186 F.R.D. 626, 639 (D. Kan. 1999)).

[3] Of course, the Court's Summary Order did limit the "scope of the § 3230(5) deposition," *i.e.*, the topics on which the *University* was required to prepare a witness and the topics on which said witness could *bind* the University by her testimony. But Defendant, at the deposition, urged an over-reading of this Order, arguing that any topic not expressly listed could not be explored at all. This hard line would have the nonsensical result of placing out of bounds topics such as the witnesses' identity, background, work history, preparation, etc., and indeed, Defendant instructed the witness not to answer some of these questions. *See* Ex. 2, at pp. 25–26, lns. 2–21. But to the extent Defendant argues that the Order forbade any inquiry—even on the witness's personal knowledge—into topics that the Court rejected, that is consistent with how Plaintiffs conducted their examination.

Civ. P. 26(b)—not the deposition notice—defines the scope of discovery" (emphasis omitted)) (citing *Payless Shoesource*, 2008 WL 973118, at *9).

This does not leave a corporate deponent without protection: if a topic is, indeed, beyond the scope of the notice (and, thus, of the preparation), then upon proper objection the witness's testimony on that topic will not bind the corporation. *See, e.g.*, *Estate of Glaves v. Mapleton Andover LLC*, No. 21-1037-DDC-GEB, 2003 WL 2328324, at *9, n.8 (D. Kan. Mar. 2, 2023) (slip op.). Nonetheless, a concise objection to this effect is the outer limit of counsel's proper response; instructing a corporate representative not to answer on the basis of "scope" is improper. *Peshlakai*, 2014 WL 459650, at *26–27 ("If the Plaintiffs ask a question at the deposition that goes beyond the scope of the area for which Applebee's International designated the witness, the proper response is not for Applebee's International to instruct the witness not to answer.") (quoting 17 *Moore's Fed. Prac.*, § 30.25[4] at 30-74.1–30-74.2 (3d. ed. 2013)).

So, too, are speaking objections. *Marksberry*, 2021 WL 2142655 at *5 (slip op.) (approving "[o]bject to the form, also outside the scope" as a "concise," "nonverbose" statement "that did nothing to 'coach the deponent'" but finding that "objections instructing the witness he could answer 'if he knows'" were "improper coaching" and "clearly were inappropriate"). Thus, to the extent that counsel instructed the witness to "[t]estify if you know" or "if you don't know, don't speculate, please," those interjections were improper and only served to further interfere with Plaintiffs' deposition. Ex. 2, at p. 41, ln. 25; *id.* at p. 133, lns. 13–14; *see also id.* at p. 178, lns. 8–18 (interjecting to restate Plaintiffs' pending question).

iii. *Witness's Refusal to Cooperate*

Plaintiffs are sensitive to Ms. Long's obligations as an attorney. But again, Defendant was obligated to select a witness who could answer fully, fairly, and accurately and *then* to appropriately prepare and instruct that witness. Thus, whether Ms. Long's "objections" were colorable or not, her refusal to cooperate—and defense counsel's permissive response—resulted in the University's unjustified failure to produce a proper witness and complete testimony. *See* Part I.A *supra*; *cf. Jackson v. CCA of Tennessee, Inc.*, 254 F.R.D. 135, 140 (D.D.C. 2008) (awarding reasonable expenses, including attorney fees, and continuation of a deposition where party "failed to show that she was substantially justified while not cooperating").

II. Plaintiffs seek limited relief, tailored to remedy Defendant's conduct at its corporate representative deposition.

For the reasons set forth in Part I, *supra*, Plaintiffs request testimony from a corporate representative (or representatives) prepared to address the following topics, each of which was previously approved by the Court, *see* Sunmary Order, Jun. 5, 2023, and none of which were satisfied at the University's prior deposition:

(ii) How the University made its decision to assert privileges or exemptions to withhold disclosure of either or both Jones Day reports in response to

Plaintiffs' Open Records Act ("ORA") requests. [Notice Topic 2, Court-Approved Topics 1–2].

(iii) The facts forming the foundation for the applicability of those privileges and/or exemptions. [Notice Topic 2, Court-Approved Topic 2].

(iv) The University's decision to engage Jones Day with respect to either or both of the reports and the terms[4] and scope of those engagements. [Notice Topic 6, Court-Approved Topic 6].

(v) The University's dissemination or disclosure of either or both of the Jones Day reports, or the information contained therein, to individuals or entities outside the Office of Legal Counsel. [Notice Topics 7–8, Court-Approved Topics 7, 10, & 12–13].

(vi) The University's disclosure of the second Report to David Boren or other witnesses. [Notice Topics 4 & 8, Court-Approved Topics 7, 10, & 12–13].

(vii) Any representations of confidentiality made to witnesses and information relating to those witnesses' reliance on the representations. [Notice Topics 1–2 & 7–8, Court-Approved Topics 2, 7, & 10–13].

(viii) Any receipt of information that led to the University's decision to retain Jones Day to generate the second Report. [Notice Topics 3 & 6, Court-Approved Topic 6 & 10].

(ix) Any relevant reports or complaints made to the Title IX office. [Notice Topics 3 & 6, Court-Approved Topic 2, 6, & 10–13].

(x) Matters related to the "Intake Summary" provided to Jess Eddy. [Notice Topics 1–2 & 7–8, Court-Approved Topics 2, 6, & 10–13].

In the alternative, Plaintiffs believe they could obtain the necessary information by compelled personal-capacity depositions of the following individuals on the above items: Bobby Mason, Anil Gollahalli, and a member of the Office of Legal Counsel ("OLC") who can testify to items (i), (ii), and all information responsive to the above topics which would previously have been known to Ms. Gattoni. *See Crest Infiniti, II, LP v. Swinton*, 2007 OK 77, ¶¶ 5, 174 P.3d 996, 1000 (permitting parties to notice specific corporate representatives). In their efforts to confer with

[4] This topic does not include terms related to the payments to Jones Day, per the Court's rejection of originally proposed Topic 8.

Defendant, Plaintiffs discussed the possibility of noticing these depositions rather than seeking additional § 3230(C)(5) testimony. Defendant maintains that it will move to quash the deposition of any of these individuals—making efforts to schedule and notice these depositions without further instruction from the Court futile and wasteful. *See Fondren v. Republic Am. Life Ins. Co.*, 190 F.R.D. 597, 602 (N.D. Okla. 1999).

In addition to further deposition(s), Plaintiffs request instructions from the Court on the appropriate scope and form of Defendant's objections, clarifying (i) that counsel may object but may not instruct corporate representatives not to answer solely on his opinion that a question is beyond the scope of noticed topics, (ii) that speaking objections are improper, (iii) that witnesses are not permitted to lodge their own objections or to refuse to answer except on the well-founded instructions of counsel, and (iv) that corporate representatives are to be fully prepared to speak with Defendant's full knowledge and not merely to rely on their personal knowledge.

III. Plaintiffs have suffered prejudice as a result of this conduct, and monetary sanctions are appropriate.

As a result of Defendant's conduct, Plaintiffs have expended significant time and cost in pursuit of a basic discovery process that remains incomplete. The University first received a list of proposed topics on May 6, 2023, followed by a similar list of topics on May 18. *See* Pls.' Opp. & Mot. to Strike Def.'s Emergency Mot. for Disc. Conf. & Protective Order, Ex. 1, at ¶ 7 (filed herein May 26, 2023). Negotiations continued in earnest, and on the same day that the Court issued its relevant ruling (June 5), Plaintiffs served a compliant notice that only served to narrow the topics on which Defendant's designees should have already been preparing their testimony.

As detailed *supra*, *see* Part I.A, the deposition revealed that Defendant's designees were not prepared to testify on behalf of the University on the topics. Further, defense counsel and Ms. Long engaged in disruptive behavior by interposing improper objections and instructions not to

testify that compromised Plaintiffs' ability to follow probative lines of questioning on key issues. *See, supra*, Part I.B. Such misconduct is egregious under any circumstance, but especially here, where counsel taking the deposition incurred the costs of traveling in from out of state.

The Oklahoma Discovery Code empowers courts to rectify discovery violations like this by "mak[ing] such orders in regard to the failure as are just" including, but not limited to, orders awarding reasonable expenses, including attorneys fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust." 12 O.S. § 3237(E) (regarding failure to attend);[5] *see also* 12 O.S. § 3237(A)(3)–(4) (treating evasive or incomplete answers as the total failure to answer and awarding fees and expenses); *cf. Serv. First Logistics, Inc. v. Lee*, No. 219CV12616TGBMJH, 2022 WL 697783, at *2–3 (E.D. Mich. Mar. 8, 2022) ("Regardless of Mr. Irvin's knowledge or intent, . . . he did not prepare for the deposition. . . . The Rules clearly reference the payment of reasonable expenses, including attorney's fees, as the appropriate sanction. . . ."). Thus, in addition to Plaintiffs' request that the deposition be reconvened, Plaintiffs specifically request the award of attorney fees for their preparation and attendance related to the first deposition, a reconvened deposition, this motion, and any resulting hearing, as well as their travel expenses, court reporter costs, and transcript fees.

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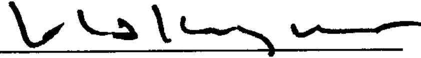
[5] As previously established, producing an unprepared witness is the equivalent of failing to permit discovery. *See, supra,* Part I.A.

CONCLUSION

For the above reasons, Plaintiffs respectfully request that the Court compel additional deposition(s) and award fees and expenses as requested above.

Dated: September 27, 2023

Respectfully submitted,



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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 27th day of September, 2023, a true and correct copy of the forgoing was sent via electronic and U.S. Mail to the following:

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J. Renley Dennis, OBA No. 33160
Austin Vance, OBA No. 33294
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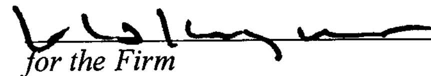
for the Firm

Exhibit 1

IN THE DISTRICT COURT IN AND FOR CLEVELAND COUNTY
STATE OF OKLAHOMA

THE SUSTAINABLE JOURNALISM FOUNDATION *d/b/a* NONDOC MEDIA, *and* WILLIAM W. SAVAGE III, Plaintiffs,	)	
vs.	)	No. CV-2021-1770
THE STATE OF OKLAHOMA ex rel. BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA, Defendant.	)	

NOTICE OF DEPOSITION

To Defendant, *The State of Oklahoma ex rel. Board of Regents of the University of Oklahoma*, c/o:

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Please take notice that Plaintiffs, *The Sustainable Journalism Foundation d/b/a NonDoc Media and William W. Savage III,* will take the deposition upon oral examination of Defendant, *The State of Oklahoma ex rel. Board of Regents of the University of Oklahoma*, a governmental agency, through such public officials, employees, or other persons as Plaintiffs designate under Okla. Stat. tit. 12, § 3230(C)(5). The deposition will take place on **Friday, June 9, 2023,** at **9:00 a.m.** at the offices of Overman Legal Group, PLLC, located at 809 NW 36th Street, Oklahoma City, OK 73118. The deposition will take place before an officer authorized to administer oaths and will continue from day to day until completed. The deposition will also be recorded on video.

Pursuant to the Court's Order dated June 5, 2023, the matters on which examination is requested at the deposition are:

1. The Board of Regents' prior practice(s) in responding to requests it has received under the Open Records Act that seek records related to or regarding investigations conducted within the University. (Proposed Topic 1 in Letter from L. Weeks to Def.'s Counsel, May 31, 2023, hereinafter "Proposed Topic __".)

2. The Board of Regents' decision to withhold the records at issue in this case. (Proposed Topic 2.)

3. The University's decision(s) to hire Jones Day in 2018 related to the Jones Day Reports. (Proposed Topic 6.)

4. Whether drafts of the Jones Day Reports were presented to the Board of Regents or others within the University. (Proposed Topic 7.)

5. The University's coordination or cooperation, if any, with law enforcement entities related to the investigations conducted by Jones Day from July 2018–present. (Proposed Topic 10.).

6. The University's engagement in or anticipation of litigation related to the Jones Day Reports from July 2018–present. (Proposed Topic 11.)

7. The University's disclosure and dissemination of the Jones Day Reports or portions of the Jones Day reports. (Proposed Topic 12.)

8. The University's receipt, disclosure, and dissemination of information contained in the Jones Day Reports or portions of the Jones Day Reports. (Proposed Topic 13.)

You are required to deliver the names of the persons so designated and the subject of their testimony prior to or at the commencement of the deposition to Blake Johnson (blakejohnson@overmanlegal.com) and Lin Weeks (lweeks@rcfp.org).

DATED: June 5, 2023

By:

/s/ Lin Weeks
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Counsel for Plaintiffs

Exhibit 2

Withheld from public record pending ruling on
Administrative Motion to File Portions of Plaintiffs' Motion to Compel Depositions and for Expenses and Fees Under Seal