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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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FEDERAL TRADE COMMISSION and  
UTAH DIVISION OF CONSUMER  
PROTECTION,

Plaintiffs,

v.

ZURIXX, LLC, *et al.*,

Defendants.

**ORDER GRANTING IN PART  
STIPULATED MOTION TO PERMIT  
DEPOSITIONS AFTER THE FACT  
DISCOVERY DEADLINE  
(DOC. NO. 320)**

Case No. 2:19-cv-00713-DAK-DAO

District Judge Dale A. Kimball

Magistrate Judge Daphne A. Oberg

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Before the court is the Stipulated Motion to Permit Depositions After the Fact Discovery Deadline (Doc. No. 320), filed by Plaintiffs, Defendants, and nonparties Matt Davis and Robert Shemin. Plaintiffs, Defendants, Mr. Davis, and Mr. Shemin seek an order permitting the depositions of Mr. Davis and Mr. Shemin to take place after the October 22, 2021, fact discovery deadline. The court GRANTS the motion in part and ORDERS as follows:

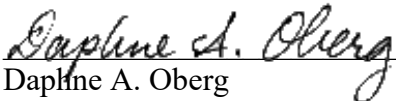
1. Notwithstanding the deadline for the close of fact discovery, which is October 22, 2021, Plaintiffs are permitted to take the depositions of the nonparties Matt Davis and Robert Shemin after October 22, 2021. All depositions in this case shall be completed no later than the expert discovery deadline, set for January 14, 2022. Any motions related to the scheduling of the depositions of Mr. Davis and Mr. Shemin shall be filed by December 3, 2021. The court is not inclined to grant extensions of other deadlines in this case based on the scheduling of these depositions.

2. This order is without prejudice to the respective positions of Mr. Davis, Mr. Shemin, Plaintiffs, and Defendants relative to seeking or opposing the scheduling of depositions

of Mr. Davis and Mr. Shemin, whether before or after the October 22, 2021 deadline for the close of fact discovery.

DATED this 28th day of September, 2021.

BY THE COURT:

  
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Daphne A. Oberg  
United States Magistrate Judge