

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re SanDisk SSDs Litigation

In re SanDisk SSDs Litigation · No. 23-cv-04152-RFL (LJC) · Decided August 11, 2025

SUMMARY

The United States District Court for the Northern District of California addresses motions to reopen depositions, disputes concerning the deposition of SanDisk’s Rule 30(b)(6) witness Matthew White, and motions to file exhibits under seal. The court permits limited reopening of depositions to address documents produced after the original depositions and related follow-up questions, while denying sanctions concerning the canceled White deposition. The court grants specified sealing motions and orders Plaintiffs to publicly file an exhibit that Defendants did not seek to seal.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Lisa J. Cisneros
JURISDICTION	United States District Court for the Northern District of California
DECIDED	August 11, 2025
DOCKET	23-cv-04152-RFL (LJC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved to reopen several depositions after defendants produced documents previously designated as privileged, and the parties submitted letters concerning the scope of a reopened Rule 30(b)(6) deposition. Plaintiffs also sought sanctions under Federal Rule of Civil Procedure 37(d)(1)(A), and the parties filed administrative motions to seal exhibits.
STANDARD OF REVIEW	Discretionary management of discovery and deposition scope; application of Federal Rules of Civil Procedure 30 and 37 and the standards governing sealing judicial records.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district-court order
PARTIES	Plaintiffs v. Defendants, including SanDisk LLC

TOPICS

discovery dispute

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PRACTICE AREAS

Civil procedure

Discovery

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QUESTIONS PRESENTED

1. Whether plaintiffs should be permitted to reopen three employee depositions to address documents produced after the original depositions.
2. What subjects and limitations should govern the reopened deposition of SanDisk LLC's Rule 30(b)(6) witness, Dr. Matthew White.
3. Whether defendants' cancellation of the scheduled White deposition warranted sanctions under Federal Rule of Civil Procedure 37(d)(1)(A).
4. Whether the parties had shown sufficient cause to seal specified exhibits filed in connection with the discovery motions.

HOLDINGS

1. The court granted plaintiffs a limited opportunity to reopen three depositions because defendants' failure to produce discoverable documents before the original depositions impeded plaintiffs' examinations.
2. The reopened depositions were limited to questions concerning documents produced after the original depositions, testimony from other reopened depositions, and reasonable follow-up questions, rather than serving as complete do-overs.
3. White's reopened deposition was limited to the specific questions he was wrongfully instructed not to answer, relevant follow-up questions, questions concerning documents produced after the original deposition, and related matters within the Rule 30(b)(6) topics for which he had been designated.
4. Plaintiffs' request for sanctions under Rule 37(d)(1)(A) was denied because defendants' conduct was substantially consistent with Rule 37(d)(2)'s recognition that a party need not appear for a deposition while a motion for a protective order is pending.
5. The court granted the sealing motions as to the specified exhibits upon a sufficient showing of good cause, while requiring Exhibit 13 to be filed publicly because defendants had not pursued its sealing.

KEY QUOTATIONS

“The Court is inclined to grant Plaintiffs the opportunity they were previously denied to question the witnesses about those documents, at least some of which relate specifically to each of these witnesses.” (at 2)

“Although the showing necessary to seal documents filed in connection with such disputes is relaxed as compared to contexts more closely connected to the merits of the case, discovery disputes are not “private” when conducted in the federal courts, the public still has an interest in access to the judicial process, and a party seeking to seal such materials must still make a particularized showing of good cause.” (at 5)

FACTUAL BACKGROUND

Defendants withdrew privilege designations for most of the disputed documents and produced them after several employees had already been deposed. Defendants had also initially failed to provide a privilege log as required by Federal Rule of Civil Procedure 26(b)(5), and the court determined that most of the remaining disputed documents were not privileged, at least in their entirety. In a separate dispute, defense counsel instructed SanDisk's Rule 30(b)(6) witness, Dr. Matthew White, not to answer certain questions, and defendants later canceled a scheduled reopened deposition while seeking court guidance on its scope.

PROCEDURAL HISTORY

Judge Lin referred the question whether witnesses should be re-deposed to Magistrate Judge Cisneros. The court granted limited reopening of three depositions and limited the reopened deposition of Matthew White to specified subjects. The court denied plaintiffs' request for sanctions arising from defendants' cancellation of the deposition, granted the sealing motions in specified respects, and ordered plaintiffs to publicly file Exhibit 13.

DISPOSITION

other

CASES CITED

- Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092, 1103 (9th Cir. 2016)