

Honorable Robert S. Lasnik

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

BRUCE CORKER d/b/a RANCHO ALOHA, *et al.*,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION, a  
Washington corporation, *et al.*

Defendants.

CIVIL ACTION NO. 2:19-cv-00290

**PLAINTIFFS’ OPPOSITION TO GOLD  
COFFEE ROASTER, INC.S’ MOTION  
FOR PROTECTIVE ORDER TO LIMIT  
SCOPE AND TO POSTPONE 30(b)(6)  
DEPOSITION**

*Consideration Date:* March 27, 2020

Plaintiffs respectfully oppose Gold Coffee Roasters’ motion for a protective order to prevent its 30(b)(6) deposition from occurring on April 9, 2020 using common, straightforward videoconferencing technology. Gold’s motion seeks to delay indefinitely the deposition until counsel can be physically present with Gold’s designated witness and to limit the scope of the testimony to be provided when the deposition does proceed. Neither concern justifies the protective order that Gold seeks.

First, Plaintiffs are mindful of the unique circumstances that the ongoing health crisis presents for the Court, the parties, and their counsel. Plaintiffs have therefore offered to use all of the available tools to mitigate the concerns that Gold has asserted in its motion, as courts around the country have instructed counsel to do. Second, Gold’s objections to the scope of the

1 deposition are unfounded. Plaintiffs seek testimony on basic facts relevant to this matter,  
2 concerning Gold's operations, structure, product labels, contents of its products, coffee sales and  
3 marketing, facts that to date, Gold has avoided providing in discovery.

#### 4 INTRODUCTION

5 This is the first deposition that Plaintiffs have sought from any individual or entity in this  
6 litigation, and Gold is wrong to oppose it. Gold has attempted to conceal its corporate structure  
7 from Plaintiffs, who may need to name additional parties, making it especially imperative that  
8 the deposition proceed expeditiously. Indeed, Gold indicates in its motion that it may not be the  
9 corporate party that is technically responsible for all of the products attributed to it in the  
10 Amended Complaint, but Gold has refused to identify the responsible party in written discovery,  
11 and Gold's packaging identifies only trade names (i.e. Hawaiian Gold, Gold Coffee Co. and  
12 Parry Estates). And a number of different entities in addition to Gold, all controlled by the same  
13 individual (John Parry), use a single Jupiter, Florida address, which is found on the packaging of  
14 the accused products under the Gold Coffee Co. trade name.

15 Gold, moreover, claims to possess no documents responsive to most of Plaintiffs'  
16 discovery requests. The deposition is necessary to determine Gold's document retention policy  
17 and its efforts to locate responsive documents.

18 Gold proffers two independent bases for the protective order: (1) "Plaintiffs' [30(b)(6)]  
19 Notice seeks information about entities other than Gold," Dkt. 227 at 6; and (2) concerns over  
20 COVID-19 "make an in-person deposition impossible at this time" and "a video deposition  
21 would prejudice Gold," *id.* at 5. Neither warrants indefinite delay.

22 First, Gold contends a protective order is necessary because the ten topics identified in  
23 Plaintiffs' 30(b)(6) deposition notice "specifies topics requiring knowledge of other corporate  
24 entities who are not parties." *Id.* at 5. That is not correct. Plaintiffs clarified in writing and  
25 during the meet and confer that "that every single topic concerns Gold's own practices,  
26 procedures, structure and institutional knowledge." *See* Dkt. 228 at 46. Gold even concedes in

1 its motion that it “is willing to prepare its witness to respond to these topics, however, most of  
2 the responses will be brief.” Dkt. 227 at 7. Given this concession, the motion should be denied.

3 Second, Plaintiffs appreciate the risks associated with COVID-19. But there is  
4 technology available that will allow the deposition to proceed without any health risk to Gold’s  
5 witness. The deposition can and should take place remotely using simple and readily available  
6 videoconferencing technology, which is as simple to implement as a click on a link in an email,  
7 and requires no in-person contact with the witness. Courts across the country have been  
8 promoting remote depositions as an effective method for preventing the spread of COVID-19  
9 while securing “the just, speedy, and inexpensive determination of every action and proceeding.”  
10 Fed. R. Civ. P. 1. Gold has rejected this as an option, claiming prejudice. But the only alleged  
11 prejudice is that Gold’s proposed witness is “nervous and concerned” not to have an attorney  
12 physically present. *Id.* at 5. Gold cites no legal authority where a court considered nerves or  
13 general concerns with the process to be prejudicial. With no showing of actual prejudice, the  
14 motion should be denied. This is particularly so because the prejudice Gold claims in its motion  
15 is different than the prejudice Gold claimed during the meet and confer between the parties.<sup>1</sup>

### 16 SUMMARY OF THE CASE

17 Plaintiffs are Kona coffee farmers who have been harmed by Defendants’ deceptive  
18 labeling and advertising practices. Each of the Defendants sell coffee labeled as originating from  
19 Kona, Hawaii. Plaintiffs’ Amended Complaint alleges in detail each Defendant’s affirmative  
20 representations of the origin of their coffee as well as the grounds for their falsity. The Court  
21 held that the “allegations adequately inform each defendant separately of the allegations  
22 surrounding its alleged participation in the fraud.” Dkt. 154 at 11 (internal quotations and  
23

24  
25 <sup>1</sup> During the meet and confer, Gold claimed the refusal to consider technology for conducting the deposition  
26 remotely based on the assertion that Gold had the absolute right to have its attorney physically present next  
to the witness to assist during the deposition. Dkt. 228 at 77-78. Plaintiffs requested that Gold provide  
authority to support this novel contention. None was ever provided. Paine Decl. at ¶4.

1 citations omitted). Plaintiffs seek discovery from the Defendants in order to establish their  
2 claims and prove damages.

3 **SUMMARY OF DISCOVERY DISPUTE**

4 **A. Gold's Has Taken Contradictory Positions, And The Public Records Are**  
5 **Ambiguous.**

6 In its motion, Gold claims that "it does not market, sell, or distribute coffee." Dkt 227 at  
7 7. Its written discovery responses are to the contrary, and these contradictory positions indicate  
8 one of the reasons that Plaintiffs require this deposition.

9 *1. In Discovery, Gold Admits It Markets, Sells, And Manufactures Coffee.*

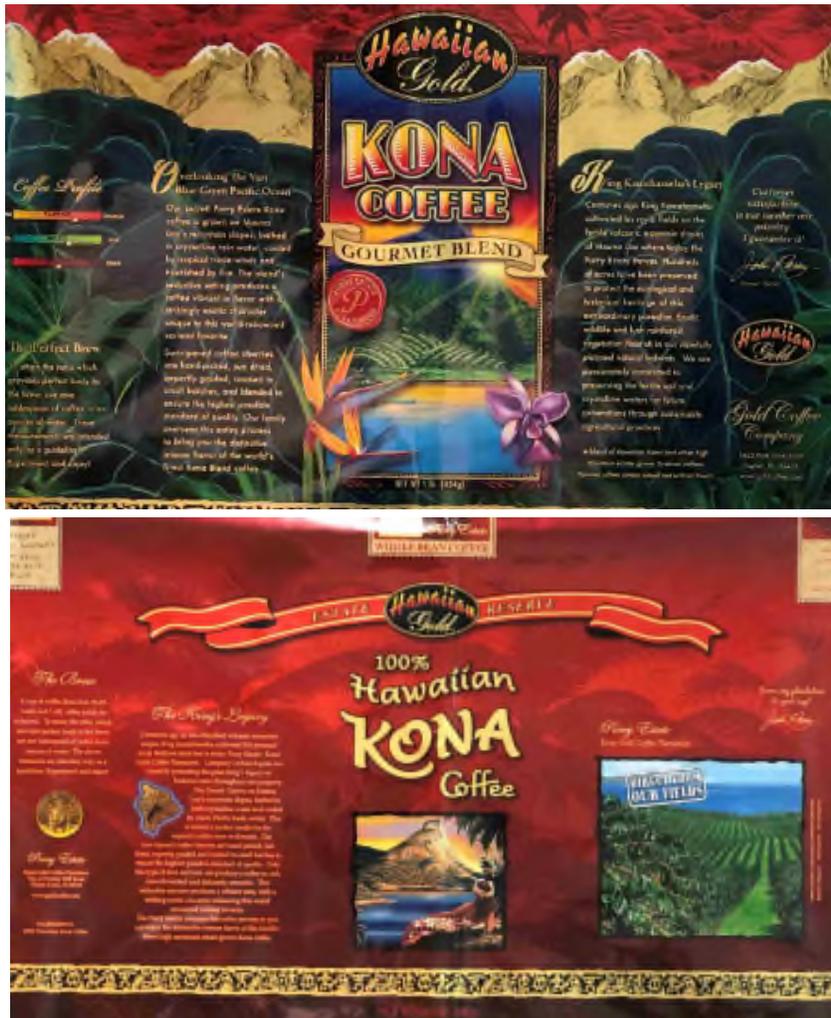
10 On June 19, 2019, Gold served initial disclosures, which it has never amended. Paine  
11 Decl., Ex. A. Gold identified only a single witness by name, John Parry. Gold explained, "Mr.  
12 Parry may have knowledge about the development and use of labels for Gold's Kona coffee  
13 products; Gold's marketing and sales practices; and the manufacturing processes for Gold's  
14 Kona coffee products." *Id.* This indicates that Gold develops and uses labels for its Kona coffee  
15 products, has marketing and sales practices, and has manufacturing processes for its own Kona  
16 coffee products. Gold also disclosed that it possessed electronic records reflecting Gold's orders  
17 and emails regarding Gold's coffee purchases. *Id.* This disclosure indicates that Gold purchases  
18 coffee. And Gold has produced some records to Plaintiffs evidencing the sale of "Kona" coffee  
19 products, which it produced confidentially under the Protective Order in this litigation. *See*  
20 Paine Decl. ¶5. Gold also joined a motion to dismiss on the part of "suppliers" of coffee. *See*  
21 Dkt. 107.

22 In the Amended Complaint, Plaintiffs identified two representative samples of Gold's  
23 deceptive "Kona" coffee products. *See* Dkt. 81 at 37, ¶ 78.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26



Through discovery, Gold produced labels for those same two products, shown below, along with two other products.



1 Paine Decl., Ex. B. These labels were responsive to Plaintiffs' Request for Production No. 1: "For  
2 coffee that you sold or distributed, please produce a copy of every Kona Label as well as Document  
3 sufficient to determine the years in which You sold or distributed coffee with each Kona Label."  
4 *See* Dkt. 184-4 at 8 (identical to RFP served on Gold). By producing the four labels, Gold admits  
5 that these were Kona Labels for coffee products it "sold or distributed."

6 The contention that Gold does not buy or sell coffee is also contradicted by Gold's Answer  
7 to the Amended Complaint, in which Gold admitted "that part of the CEO's job function includes  
8 sourcing coffee beans for Gold coffee products, and that he knows what coffee beans he is buying  
9 and selling." Dkt. 164 at 70.

10 The above disclosures and discovery are wholly inconsistent with Gold's new position  
11 that "it does not market, sell, or distribute coffee." Dkt 227 at 7. Gold also now appears to take  
12 the position that it does not produce coffee either. *Id.* at 3. Gold's president, John Parry,  
13 vaguely indicates in his declaration that these functions might be the responsibility of other  
14 entities that he owns. Dkt. 229 at 3. But he does not identify those entities. Nor are those  
15 entities, or employees of those entities, disclosed by Gold as potential witnesses in its initial  
16 disclosures. The need to resolve the inconsistent and confusing positions taken by Gold is one of  
17 the reasons why Plaintiffs need to take Gold's deposition at this time. *See, e.g., Indianapolis et*  
18 *al v. Chase National Bank*, 314 U.S. 63, 69 (1941) (Frankfurter, J.) ("Litigation is the pursuit of  
19 practical ends, not a game of chess."). If Gold's new position is accurate, Plaintiffs will need to  
20 amend their complaint to include the party or parties who *did* sell Gold's products.

21 2. *Public Records Indicate That Gold Markets, Sells, And Distributes Coffee, But Also*  
22 *Reveals Several Other Corporate Entities That Use The Same Address As Gold's.*

23 Plaintiffs note that they have attempted to determine which entity or entities are  
24 responsible for selling Gold's products from publicly available information, which is why they  
25 named Gold in this lawsuit. The current website for the accused products  
26 (www.goldcoffee.com) states: "We are the farmers, processors, roasters and importers. Gold

1 Coffee Company is a sustainable coffee plantation in the USA . . .” *Id.*, Ex. C. The 2018 version  
2 of the same website described the company as having “Total Vertical Integration: Farmer,  
3 Processor, Roaster and Importer” and “Total quality control – Kona’s rich volcanic soil to your  
4 cup.” *Id.*, Ex. D. The copyright notice for the 2018 version of the website identifies Gold  
5 Coffee as the copyright owner. And Gold’s communications with the Florida Secretary of State,  
6 including a letter submitted by John Parry as Gold’s president, were submitted on letterhead  
7 featuring the Gold Coffee Company trade name. *Id.*, Ex. E. These publicly available  
8 communications further indicate that Gold Coffee Company is a trade name used by Gold. Thus,  
9 based on the information available to Plaintiffs, Gold Coffee Company appears to be a trade  
10 name used by Gold and associated with the farm to cup supply chain described on the website  
11 for Gold’s products.

12 Gold’s labels do not identify the entity that manufactures the accused products. Instead,  
13 Gold’s labels display various trade names such as “Parry Estates,” “Hawaiian Gold” and “Gold  
14 Coffee Co.” Paine Decl., Ex. B. The labels also bear John Parry’s signature with quotes  
15 purportedly from him. *Id.* One common thread between the labels is that they all display the  
16 address of 1425 Park Lane South, Jupiter, Florida for Gold Coffee Company. That is the same  
17 address for Gold Coffee Roasters, Inc., *id.*, Ex. F, and for Costa Rican Gold Coffee Co., Inc., *id.*,  
18 Ex. G. Publicly available records show that Kona Gold Coffee Plantation LLC also uses the  
19 same address. *Id.*, Ex. H. All of these entities, which share the same address, are owned and  
20 controlled by Gold’s designated 30(b)(6) witness, John Parry, who submitted a declaration in  
21 support of the protective order. In other words, Mr. Parry has submitted a declaration to prevent  
22 the deposition that would allow the Plaintiffs to discover which of his many business entities  
23 share responsibility for the misconduct at issue in this litigation.

24 **B. Plaintiffs Served A 30(B)(6) Notice With Only Ten Topics.**

25 On February 13, 2020, Plaintiffs’ served a 30(b)(6) deposition notice on Gold. The  
26 deposition was originally noted for March 10, 2020. One of the purposes of the deposition was

1 to resolve the ambiguities and confusion created by Gold's inconsistent positions and evasive  
2 discovery responses. Dkt. 228 at 6-11.<sup>2</sup> The notice contained only ten topics:

- 3 1. Gold's production of coffee that it markets, sells, or distributes with a Kona Label.
- 4 2. Gold's entire supply chain for coffee that it markets, sells, or distributes with a Kona  
5 Label.
- 6 3. Gold's sale and distribution of coffee with a Kona Label.
- 7 4. Gold's advertising and marketing of coffee with a Kona Label.
- 8 5. Gold's processes for knowing and tracking the contents of coffee produced and sold with  
9 a Kona Label.
- 10 6. Gold's responses to Plaintiff's Interrogatories and Requests for Production.
- 11 7. Gold's document retention policies and efforts to preserve, search for, and produce  
12 documents requested in discovery in this litigation.
- 13 8. Gold's corporate structure, including any Related Entities and the Identity and  
14 responsibilities of any employees, shareholders, board members, owners, contractors, or  
15 other agents who perform functions related to Gold's production, purchase, or sale, of  
16 coffee with a Kona label.
- 17 9. Gold's practices and procedures for compliance with all Hawaii Department of  
18 Agriculture's record-keeping requirements applicable to Gold's business operations in  
19 Hawaii.
- 20 10. Gold's practices and procedures for compliance with the Food Safety Modernization Act.

21 Dkt. 228 at 9-11. Evident from the plain language of each topic, and as further clarified by  
22 Plaintiffs in the correspondence, *see* Dkt. 228 at 46-47, and the discovery conference, *see id.* at  
23 78, the topics are limited to "information known or reasonably available to" Gold. Fed. R. Civ.  
24 P. 30(b)(6). Even Gold's designated witness, Mr. Parry, stated under oath "For the corporate  
25 deposition of Gold, I could prepare for the topics as they relate to Gold Coffee Roasters and meet  
26 my obligations, as I understand them, to testify for Gold." Dkt. 229 at 3. Despite the candid  
admission from the witness, Gold refuses to make the witness available, contradictorily claiming

<sup>2</sup> Gold has yet to produce a single document in response to Plaintiffs' second, third and fourth sets of discovery. Gold's responses to Plaintiffs' first set of discovery remains deficient. Paine Decl. at ¶5.

1 that it cannot adequately prepare Mr. Parry on the designated topics, Dkt. 227 at 6, but then  
 2 admitting that it “is willing to prepare its witness to respond to these topics,” *id.* at 7.

3 **C. Gold Refuses To Appear For Deposition In Person Or Over Video.**

4 Plaintiffs initially noticed this deposition for March 10, 2020. Two weeks later, Gold  
 5 responded that its counsel had a conflict, Dkt. 228 at 26, but did not propose an alternative date.  
 6 Plaintiffs pressed Gold for a date, Dkt. 228 at 40-47, and Gold constructively refused: saying that  
 7 it would appear on April 9, 2020 only if the deposition could take place in person and noting that  
 8 it would not be safe for the deposition to take place in person. Dkt. 228 at 49-50. Plaintiffs  
 9 agreed to the date but emphasized that the deposition should occur remotely, as occurred in many  
 10 cases even prior to the COVID-19 crisis and is now becoming commonplace. Dkt. 228 at 62-63.

11 On March 10, 2020, the parties participated in a discovery conference to resolve the  
 12 dispute over Gold’s refusal to make the witness available unless its conditions were met. As  
 13 detailed above, the parties were unable to resolve Gold’s claim that it was unable to prepare a  
 14 witness to answer ten topics concerning Gold’s business operations, its products, its document  
 15 retention policy, its labels, and its own discovery responses. The parties also were unable to  
 16 resolve the dispute over the manner in which the deposition should occur in a prompt yet safe  
 17 manner, respecting the health of all individuals involved. Dkt. 228 at 77-78.

18 **ARGUMENT**

19 **A. Gold Has Failed To Satisfy Its Burden Of Proving A Specific Prejudice Or Harm**  
 20 **Warranting The Indefinite Delay Of Gold’s Deposition.**

21 In order to establish good cause for issuance of a protective order, Gold bears the burden  
 22 of showing that specific prejudice or harm will result if no protective order is granted. *See Tighe*  
 23 *v. County*, 2018 LEXIS 196904, \*4 (W.D. Wash. Nov. 19, 2018) (*citing In re Roman Catholic*  
 24 *Archbishop of Portland*, 661 F.3d 417, 424 (9th Cir. 2011)). Of particular relevance, courts will  
 25 not issue protective orders supported only by broad allegations of harm, unsubstantiated by  
 26 specific examples or articulated reasoning. *See Beckman Indus., Inc. v. International Ins. Co.*,  
 966 F.2d 470, 476 (9th Cir. 1992); *San Jose Mercury News, Inc. v. United States Dist. Court*,

1 187 F.3d 1096, 1103 (9th Cir. 1999) (holding that to gain a protective order the party must make  
 2 a particularized showing of good cause with respect to any individual document). With its  
 3 motion, Gold fails to even recognize its burden, much less satisfy it. Therefore, Gold’s motion  
 4 must be denied.

5 1. *Gold Failed To Satisfy Its Burden Of Showing Harm Or Prejudice In Preparing A*  
 6 *Witness To Answer Plaintiffs’ Ten Topics.*

7 Plaintiffs’ 30(b)(6) deposition notice lists only ten topics concerning Gold’s own business  
 8 operations concerning the manufacture and sale of “Kona” coffee products (topics 1, 3, 5, 9 and  
 9 10), its supply chain (topics 2, 5 and 10), its labels for “Kona” coffee products (topic 4) and their  
 10 contents (topics 5, 9 and 10), its advertising and marketing (topic 4), its document retention  
 11 policy (topic 7), its discovery responses (topic 6) and its corporate structure and related entities  
 12 (topic 8). Dkt. 228 at 9-11. The only harm or prejudice Gold alleges is that it should not be  
 13 forced to answer these topics for other entities. But by the plain language of the topics, and as  
 14 already clarified by Plaintiff, the topics are concerned only with “information known or  
 15 reasonably available to” Gold. Fed. R. Civ. P. 30(b)(6); *see also Luken*, 2018 LEXIS 71399, at  
 16 \*3 (Rule 30(b)(6) “was intended to prevent the officers or managers of larger organizations from  
 17 ‘bandying,’ the practice of disclaiming knowledge of facts clearly known to the organization”).

18 Gold concedes in its motion that it “is willing to prepare its witness to respond to these  
 19 topics, however, most of the responses will be brief.” Dkt. 227 at 7. And Gold’s designated  
 20 witness admits that he is able to prepare for the topics and testify for Gold. Dkt. 229 at 3. Given  
 21 these concessions, Gold has failed to satisfy its burden of establishing a protective order is  
 22 necessary to protect Gold from prejudice or harm.<sup>3</sup> The motion must be denied.

23  
 24 <sup>3</sup> The case relied upon by Gold for its motion is distinguishable. *See* Dkt. 27 at 6. Unlike in *Luken*, 2018  
 25 LEXIS 71399, at \*8 (W.D. Wash. April 27, 2018), Plaintiffs have not identified “every facet of the  
 26 litigation” or the inner workings of another entity as deposition topics. Instead, Plaintiffs have identified  
 only ten topics all concerning the business practices of Gold, its own document retention policies, its own  
 discovery responses, its own corporate structure, its own supply chain and the contents of the products that  
 it produces. This is all information known or reasonably available to the Gold.

1           2. *Gold Failed To Satisfy Its Burden Of Showing Harm Or Prejudice In Allowing The*  
2           *Deposition To Proceed Remotely.*

3           Courts across the country have been promoting remote depositions as an effective method  
4 for preventing the spread of COVID-19 while securing “the just, speedy, and inexpensive  
5 determination of every action and proceeding.” Fed. R. Civ. P. 1. Gold has rejected this as an  
6 option. Gold’s original basis for rejecting Plaintiffs’ offer to conduct the deposition remotely  
7 was that a party has an absolute right to have their attorney physically present to defend the  
8 deposition. Gold has never provided any authority for this proposition. But courts in this circuit  
9 have recognized that the physical presence of a witness’s attorney to defend in a remote  
10 deposition is not an absolute right, but merely an option. *See, e.g., Kaseberg v. Conaco, LLC*,  
11 No. 15-cv-01637-JLS (DHB), 2016 U.S. Dist. LEXIS 111767, at \*16-18 (S.D. Cal. Aug. 19,  
12 2016) (recognizing that the physical presence of the defendant’s counsel for a remote deposition  
13 is just an option).

14           With its motion, Gold now contends it will be prejudiced by a remote deposition, but it  
15 does not explain how it will be prejudiced if its attorney must prepare and defend the witness  
16 remotely. The generalized claim of prejudice rings particularly hollow given that Gold is in  
17 Jupiter, Florida yet chose counsel located in Seattle to represent it throughout this litigation  
18 without issue. Indeed, Gold’s only alleged prejudice is that its proposed witness is “nervous and  
19 concerned” not to have an attorney physically present. Dkt. 227 at 5. Gold cites no legal  
20 authority where a court considered nerves or general concerns with the process to be prejudicial.  
21 With no showing of actual prejudice, the motion should be denied.

22           The ongoing health crisis requires parties and their counsel to make reasonable  
23 adjustments to prevent cases from coming to a standstill. While remaining sensitive to the  
24 demands that this crisis has placed on all of us, courts around the country are rejecting arguments  
25 indistinguishable from the ones made by Gold in this litigation and ordering that depositions  
26 move forward remotely rather than delaying them indefinitely. For example, the Northern  
District of Illinois ruled that instead of cancelling, the parties should consider videoconferencing

1 to conduct up to 25 depositions before the end of April 2020. Paine Decl., Ex. I at 7. The  
2 Supreme Court of Florida, Gold's state of domicile, issued an order expressly permitting the  
3 remote administration of oaths. *Id.*, Ex. J. In the Southern District of New York, a court recently  
4 ordered, "pursuant to Fed. R. Civ. P. 30(b)(3) and (b)(4), that all depositions in this action may  
5 be taken via telephone, videoconference, or other remote means, and may be recorded by any  
6 reliable audio or audiovisual means." *Id.*, Ex. K. Other courts across the country have issued  
7 orders encouraging or even requiring depositions and court proceedings to utilize readily  
8 available technology for remote participation. *Id.*, Ex. L. The Western District of Washington's  
9 General Order 2-20 reflects the balance that Plaintiffs are attempting to strike here; it notes the  
10 availability of remote conferencing when appropriate, but makes clear that the health crisis does  
11 not mean that cases grind to a halt.

12 Remote depositions eliminate travel by any attorney, witness, or court reporter. The  
13 technology supports an unlimited number of participants without the physical presence of a court  
14 reporter or any attorney with the witness. Watkins Dep., Ex. 2. The service does not require that  
15 the witness be technologically savvy, only requiring the witness to click on a link in an email.  
16 *Id.*, Ex. 1. All the witness needs is a computer with a camera and an internet connection.

17 As Gold has failed in its burden to establish how it will be prejudiced by participating in  
18 its deposition remotely, especially where courts across the country are ordering remote  
19 depositions as a reasonable alternative to cancellation or delay due to COVID-10 concerns, its  
20 motion for a protective order must be denied.

21 **CONCLUSION.** Because Gold has failed to satisfy its burden of establishing prejudice,  
22 its motion must be denied. Plaintiffs respectfully request that the Court order Gold to prepare for  
23 the Plaintiffs' ten deposition topics and appear for its deposition remotely on April 9, 2020 or  
24 within 14 days of entry of the Court's order, whichever is earlier. The parties should further be  
25 ordered to meet and confer to determine the logistics for the remote deposition, while ensuring the  
26 health and safety of all participants.

1 Dated: March 25, 2020

2 KARR TUTTLE CAMPBELL

LIEFF CABRASER HEIMANN &  
BERNSTEIN, LLP

3  
4 /s/ Nathan T. Paine

Nathan T. Paine, WSBA #34487  
5 Paul Richard Brown, WSBA #19357  
Daniel T. Hagen, WSBA #54015  
6 701 Fifth Avenue, Suite 3300  
Seattle, Washington 98104  
7 206.223.1313  
npaine@karrtuttle.com

/s/ Andrew R. Kaufman

Jason L. Lichtman (*pro hac vice*)  
Daniel E. Seltz (*pro hac vice*)  
250 Hudson Street, 8th Floor  
New York, NY 10013-1413  
Telephone: 212-355-9500  
dseltz@lchb.com

8 Andrew Kaufman (*pro hac vice*)  
222 2nd Avenue South, Suite 1640  
9 Nashville, TN 37201  
615.313.9000

10  
11 *Attorneys for the Plaintiffs*  
12 *and the Proposed Class*

CERTIFICATE OF SERVICE

I, Julie Nesbitt, affirm and state that I am employed by Karr Tuttle Campbell in King County, in the State of Washington. I am over the age of 18 and not a party to the within action. My business address is: 701 Fifth Avenue, Suite 3300, Seattle, WA 98104. On this day, I caused to be filed with the Court a true and correct copy of the foregoing PLAINTIFFS' OPPOSITION TO GOLD COFFEE ROASTER, INC.'S MOTION FOR PROTECTIVE ORDER TO LIMIT SCOPE AND TO POSTPONE 30(b)(6) DEPOSITION, via the Court's electronic filing system, which caused service of the document to all parties registered to receive notifications through CM/ECF.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct, to the best of my knowledge.

Dated this 25<sup>th</sup> day of March 2020, at Seattle, Washington.

/s/ Julie Nesbitt  
Julie Nesbitt, Legal Assistant