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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Lynne Korff,

10 Plaintiff,

11 v.

12 Phoenix, City of, et al.,

13 Defendants.  
14

No. CV-13-02317-PHX-ESW

**ORDER**

15  
16 The Court has considered Defendants' Joint Rule 30(A)(2)(a)(i) Motion for Leave  
17 to Exceed Ten Deposition Limit (Doc. 155), Plaintiff's Response (Doc. 184), and  
18 Defendants' Joint Reply (Doc. 186).

19 The Court finds that Defendants have met their burden of proving a particularized  
20 showing for the need to take three additional depositions. Rule 30, Fed. R. Civ. P. *See*  
21 *Thykkuttathil v. Keese*, 294 F.R.D. 597, 600 (W.D. Wash. 2013). Leave to grant the  
22 taking of three additional depositions is appropriate pursuant to Rule 26(b)(2), Fed. R.  
23 Civ. P. The discovery sought is not duplicative, cumulative, or obtainable from another  
24 source. Defendants promptly sought leave to take the additional depositions upon receipt  
25 of decedent's recent mental health records. The expense of the discovery is not  
26 outweighed by its benefit, considering the importance of the issues at stake and the  
27 amount in controversy. The information sought is relevant to the subject matter at issue  
28 in this litigation. The Court has ruled that the events immediately leading up to the

1 shooting of the decedent are in dispute. *See* Orders of the Court dated March 25, 2015  
2 (Doc. 192) and March 16, 2015 (Doc. 185). Discovery regarding those events is relevant.  
3 *See Boyd v. City & Cnty of San Francisco*, 576 F.3d 938 (9<sup>th</sup> Cir. 2009); *Graham v.*  
4 *Connor*, 490 U.S. 386 (1989). Relevant information need not be admissible at trial to be  
5 discoverable provided it is reasonably calculated to lead to the discovery of admissible  
6 evidence. *See* Fed. R. Civ. P. 26(b)(1).

7 IT IS ORDERED granting Defendants' Joint Rule 30(A)(2)(a)(i) Motion for  
8 Leave to Exceed Ten Deposition Limit (Doc. 155).

9 The Court lifts the deposition stay imposed in its Order dated March 9, 2015 (Doc.  
10 180).

11 Dated this 1st day of April, 2015.



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Honorable Eileen S. Willett  
United States Magistrate Judge

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