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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.
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No. CV-13-02317-PHX-ESW

ORDER

15 The Court has considered Defendants' Motion to Take Depositions of Michael
16 O'Brien and Christina O'Brien at Federal Courthouse (Doc. 150), Plaintiff's Response
17 (Doc. 154), and Defendants' Reply (Doc. 176). This Court has ruled pursuant to Rules
18 26 and 30, Fed. R. Civ. P., that Defendants are permitted to exceed their ten deposition
19 limit. The Court further found that the discovery sought was relevant to the subject
20 matter at issue in this litigation. Finally, the information sought is not cumulative or
21 duplicative, able to be obtained from other sources, burdensome, or untimely sought.
22 The Court has ruled that the events immediately leading up to the shooting of decedent
23 are in dispute. *See* Orders of the Court dated March 25, 2015 (Doc. 192) and March 16,
24 2015 (Doc. 185). Discovery regarding those events is relevant. *See Boyd v. City & Cnty*
25 *of San Francisco*, 576 F.3d 938 (9th Cir. 2009); *Graham v. Connor*, 490 U.S. 386 (1989).
26 Relevant information need not be admissible at trial to be discoverable provided it is
27 reasonably calculated to lead to the discovery of admissible evidence. *See* Fed. R. Civ. P.
28 26(b)(1).

1 IT IS ORDERED granting Defendants' Motion (Doc. 150). The depositions of
2 Michael O'Brien and Christina O'Brien shall proceed at the Federal Courthouse where all
3 persons shall be screened at security. A Deputy Marshal shall be available. Counsel
4 shall initiate a joint conference call to the Court's Judicial Assistant with several mutually
5 agreed-upon afternoon dates to schedule a time convenient to the Court's docket so the
6 courtroom will be available for use. Counsel are advised that the courtroom is not
7 usually available in the morning.

8 Dated this 1st day of April, 2015.

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13 Honorable Eileen S. Willett
14 United States Magistrate Judge
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