



8, 2006, plaintiff filed a motion to quash the defendant's notice of deposition and a motion for a protective order.

Discovery has not yet begun and the lawyers have borne out the Court's prediction with these filings. First, the defendant should not have filed a notice of deposition and attempted to begin discovery without a scheduling order from this Court (which pursuant to the Court's Rules the Court will not issue until it receives the parties' joint report). Second, and as the plaintiff pointed out in his motion to quash, once discovery does begin, neither party should file with the Clerk any discovery materials, in accordance with Local Civil Rule 5.2. Plaintiff's counsel, however, while arguing that defendant's counsel has violated various Federal Rules of Civil Procedure and Local Civil Rules, has himself failed to follow these rules. Specifically, plaintiff's consent motion for an extension of time is single-spaced, in violation of Local Civil Rule 5.1(f), and he does not appear to have consulted opposing counsel prior to filing either the motion to quash or the motion for a protective order, in violation of Local Civil Rule 7(m).

As for plaintiff's motion for a protective order, it essentially requests that the Court place a gag order on the defendant and her counsel throughout the course of this litigation because the plaintiff objects to how the defendant's counsel has characterized the Court's April 5, 2006 ruling and because the plaintiff is distressed by the fact that this lawsuit has drawn media attention. Perhaps the plaintiff should have considered that fact before he filed suit. Perhaps plaintiff's counsel should consider that fact before filing motions in which he repeats salacious details and allegations seemingly without regard for the distress that other persons might feel at these public filings. See Plaintiff's Motion to Disqualify Counsel; Plaintiff's Motion for Protective Order. The Court will not order a prior restraint on the free speech of the defendant or her counsel merely because the plaintiff is piqued by the media interest his own lawsuit has

