

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

EDWARD DEMERSON,	CASE NO. 1:08-cv-00144-LJO-SKO PC
Plaintiff,	ORDER GRANTING DEFENDANTS'
v.	REQUEST FOR LEAVE TO DEPOSE
	PLAINTIFF BY VIDEO-CONFERENCE
JEANNE S. WOODFORD, et al.,	(Doc. 132)
Defendants.	

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Plaintiff Edward Demerson, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 29, 2008, and a scheduling order was issued on December 21, 2011. This action is currently in the discovery phase, and on April 25, 2012, Defendants filed a request seeking leave to depose Plaintiff by video-conference. Fed. R. Civ. P. 30(b)(4). Plaintiff filed an opposition on May 7, 2012.<sup>1</sup>

Plaintiff's opposition to the request is based on several misconceptions. A deposition by video-conference simply means that Defendants will conduct it from a remote location via video-conferencing equipment. The taking of the deposition itself entails nothing different or additional, and Plaintiff is not at a disadvantage, as he asserts. Plaintiff has the same right to request to review the deposition transcript and make corrections as he would with an in-person deposition, Fed. R. Civ. P. 30(e)(1), and in neither instance is Plaintiff entitled to a free copy of the transcript, Fed. R. Civ.

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<sup>1</sup> A reply is unnecessary in this instance and therefore, the Court issues its ruling without awaiting further response from Defendants. Local Rule 230(1).

1 P. 30(f)(3).<sup>1</sup>

2 Defendants may seek leave to depose Plaintiff by remote means and they have done so here.  
3 Fed. R. Civ. P. 30(b)(4). Although Defendants are not required to show good cause under the rule,  
4 the conservation of government resources is good cause under the circumstances and Defendants'  
5 motion is HEREBY GRANTED. Id.

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7 IT IS SO ORDERED.

8 **Dated: May 10, 2012**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> A request to review the transcript *must* be made before the completion of the deposition, and Plaintiff has thirty days after being notified the transcript is available within which to review it. Fed. R. Civ. P. 30(e)(1).