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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES T. DAVIS,

Plaintiff,

No. CIV S-05-1898 FCD EFB P

vs.

D.L. RUNNELS, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On October 21, 2011, defendants submitted a motion to conduct the deposition of plaintiff “and all witnesses” via videoconference, in order to avoid travel expenditures that would be incurred if defense counsel were required to travel to plaintiff’s place of incarceration. *See Fed. R. Civ. P. 30(b)(4)* (providing that, on motion, the court may order that a deposition be taken by remote means).

Good cause appearing, defendants’ request to take plaintiff’s deposition by videoconference will be granted. However, defendants have not shown cause why they should be permitted to depose other, unidentified witnesses by videoconference. Accordingly, defendants’ request to take the deposition of all witnesses by videoconference will be denied without prejudice to its renewal with a showing of cause.

1 Accordingly, it is hereby ORDERED that:

2 1. Defendants' request to take plaintiff's deposition by videoconference is granted;

3 2. Defendants' request to take the depositions of all other witnesses by videoconference
4 is denied without prejudice; and

5 3. Nothing in this order shall be interpreted as requiring any penal institution
6 to obtain videoconferencing equipment if it is not already available.

7 So ordered.

8 DATED: November 3, 2011.


9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
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