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

ELMER BUICK, et al.,

Plaintiffs,

No. CIV 07-1447 MCE KJM

vs.

WORLD SAVINGS BANK, et al.,

Defendants.

ORDER

_____ /

Plaintiff's motion to compel depositions of defendant's corporate officers came on regularly for hearing on July 1, 2009. Marie Appel appeared for plaintiffs. Brian DeAmicis appeared for defendant Transamerican. No appearance was made for defendant World Savings Bank. Upon review of the documents in support and opposition, upon hearing the arguments of counsel, and good cause appearing therefor, THE COURT FINDS AND ORDERS AS FOLLOWS:

1. The motion to compel is granted. Deponents James and Mary Ann Kniest shall appear for deposition in San Diego no later than July 9, 2009. Deponents and defendant Transamerican are cautioned that failure to appear for deposition may result in the answer of defendant Transamerican being stricken and default judgment being entered against defendant

1 Transamerican or defendant may be precluded from contesting issues at trial.¹

2 2. Reasonable expenses incurred in connection with this motion are awarded to
3 plaintiffs against defendant Transamerican in the amount of \$2,100.00.

4 DATED: July 1, 2009.

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7 U.S. MAGISTRATE JUDGE
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26 ¹ Because a motion for terminating sanctions or issue preclusion is a dispositive matter, such a motion may be timely brought under the scheduling order no later than November 9, 2009 or may be brought as a motion in limine prior to trial.