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

WILLIAM BARKER,

Plaintiff,

No. CIV S-11-0246 LKK GGH P

vs.

R. YASSINE,

Defendant.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, proceeds with a civil rights action.

On July 27, 2011, defendants filed an answer to the complaint and a motion (Doc. 29) to depose plaintiff pursuant to Rule 30(a)(2)(B), as plaintiff is incarcerated.

As defendant has answered the complaint, a discovery and scheduling order will be filed concurrently with this order. In the discovery and scheduling order, defendant is notified that pursuant to Federal Rule of Civil Procedure 30(a), defendant may depose plaintiff and any other witness confined in a prison upon condition that, at least fourteen days before such a deposition, defendant serve all parties with the notice required by Fed. R. Civ. P. 30(b)(1)

Nevertheless, defendant's motion to depose plaintiff is granted.

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Accordingly, IT IS HEREBY ORDERED that defendant's motion to depose plaintiff (Doc. 29) is granted.

DATED: August 22, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH: AB
bark0246.ord