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

EKIN MITCHELL,

Plaintiff,

No. CIV S-11-0362 LKK DAD

v.

SACRAMENTO CITY UNIFIED
SCHOOL DISTRICT,

ORDER

Defendant.

_____ /

This matter came before the court on April 27, 2012, for hearing of defendant’s motion to compel deposition and request for sanctions. Gloria Godinez, Esq. appeared for defendant Sacramento City Unified School District. There was no appearance by plaintiff or plaintiff’s counsel.

Upon consideration of the defendant’s arguments on file¹ and at the hearing, and for the reasons set forth in detail on the record, IT IS HEREBY ORDERED that:

1. Defendant’s motion to compel (Doc. No. 45) is granted;
2. Plaintiff shall appear at the office of defense counsel for her deposition on May 2, 2012, at 9:00 a.m.;

¹ Plaintiff’s counsel did not file an opposition to defendant’s motion.

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- 3. Plaintiff's objections to the videotaping of the deposition are overruled;
- 4. Defendant's request for sanctions (Doc. No. 45) is denied²; and
- 5. Any failure to abide by the court's order with respect to either the May 2, 2012 deposition or its videotaping by plaintiff or plaintiff's counsel will result in the imposition of sanctions against plaintiff and her counsel.

DATED: April 30, 2012.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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² As explained at the hearing, defendant's motion for sanctions was denied only because defense counsel re-set the deposition in question after plaintiff's counsel would not confirm the originally noticed date. Thus, plaintiff did not fail to appear at a scheduled deposition.