

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KAREN RIGSBY, Trustee of the MARSH
REVOCABLE TRUST OF 2003, and
DONALD P STEINMEYER, an
individual,

Plaintiffs,

v.

INTERCARE SPECIALTY RISK
INSURANCE SERVICES, INC., a
California Corporation; ISR HOLDINGS,
INC, a California Corporation; KEVIN
HAMM, an individual; and PATRIOT
NATIONAL, INC., a Florida Corporation,

Defendants.

No. 2:17-cv-1347-MCE-EFB

ORDER AFTER HEARING

This case was before the court on October 24, 2018, for hearing on plaintiffs’ motions to (1) compel defendant Phoenix Risk Management, Inc. (“Phoenix”) to provide responses to interrogatories (ECF No. 120) and (2) extend length of the deposition of defendant ISR Holdings, Inc.’s person most knowledgeable to exceed the seven-hour limit established by Federal Rule of Civil Procedure 30(d)(1) (ECF No. 123). Attorney Robert Riggs appeared on behalf of plaintiffs; no appearance was made by any of the defendants.

/////
/////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

For the reasons stated on the record, it is hereby ORDERED that:

1. Plaintiffs’ motion to compel defendant Phoenix to provide responses to interrogatories (ECF No. 120) is denied without prejudice. Plaintiffs may renew their motion should that corporation retain new counsel.

2. Plaintiffs’ motion to extend the deposition time of defendant ISR Holdings, Inc.’s person most knowledgeable (ECF No. 123) is granted in part. While the corporation cannot proceed without counsel, witnesses with relevant information may be deposed--either as individually named defendants or as third party witnesses. Here, plaintiffs have identified the individually named defendant Kevin Hamm as a person having relevant information whom plaintiff wishes to depose. Accordingly, for the reasons stated on the record at the hearing, Kevin Hamm is ordered to appear for deposition on November 27 and 28, 2018, at Aiken Welch Court Reporters, 2520 Venture Oaks Way, Suite 430, Sacramento, California. Further, as stated on the record, the court finds good cause for the deposition to exceed the seven-hour limitation of 30(d)(1). The deposition shall commence each day at 10:00 a.m. and shall not exceed 12 total hours. Mr. Hamm is admonished that absent a showing of extraordinary cause, the court will not continue the deposition to a later date.

DATED: October 31, 2018.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE