

United States District Court
For the Northern District of California

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

PERNELL EVANS,

No. C 08-1005 SI

Plaintiff,

**ORDER GRANTING DEFENDANTS'
REQUEST FOR ONE ADDITIONAL
HOUR TO DEPOSE PLAINTIFF**

v.

FEDEX EXPRESS, *et al.*,


Defendants.

Defendants have filed a letter brief seeking an additional hour to depose plaintiff, or alternatively an order precluding plaintiff from submitting a declaration in opposition to a motion for summary judgment and from testifying at trial. Plaintiff opposes the request on several grounds.¹

The Court finds that it is reasonable to require plaintiff to submit to an additional hour of deposition, for a total of 8 hours and 48 minutes of deposition time, given the time frame covered in the complaint and the number of claims against several defendants. The Court finds no bad faith on the part of plaintiff, and thus finds no basis whatsoever for defendants' request that plaintiff be precluded from filing a declaration and testifying at trial. The parties shall meet and confer regarding the scheduling of plaintiff's resumed deposition.

IT IS SO ORDERED.

Dated: August 11, 2009



SUSAN ILLSTON
United States District Judge

¹ The parties' letter briefs are found at Docket Nos. 68, 69 and 71.

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