

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

DESSIE R. NELSON,

Plaintiff,

v.

HARTFORD LIFE INSURANCE CO., ET
AL.,

Defendants.

No. 3:13-cv-04196-CRB

**ORDER GRANTING IN PART
PLAINTIFF'S EX PARTE MOTION
FOR PROTECTIVE ORDER**

HARTFORD LIFE INSURANCE CO.,

Third-Party Plaintiff,

v.

JULIANA JAMES, ET AL.,

Third-Party Defendants.

CITY OF OAKLAND

Cross-Claimant,

v.

JULIANA JAMES, ET AL.,


Cross-Defendants.

1 The Court is in receipt of Plaintiff Dessie R. Nelson’s ex parte motion for a protective
2 order regarding her deposition. (Dkt. 74). On August 22, 2014, this Court directed that
3 Nelson’s deposition be taken within 90 days. CMC Minutes (Dkt. 63). Defendant The
4 Hartford Life Insurance Company (“The Hartford”) alleges that it noticed Nelson’s
5 deposition to take place on September 30, 2014; Nelson did not appear. See City of Oakland
6 Conditional Non-Opp. (Dkt. 76) at 1. Nelson’s counsel subsequently sent to all counsel a
7 letter dated September 29, 2014, from Dr. Fayola Abebi Edwards, M.D., which stated that
8 Nelson is unable to participate in her deposition for at least three months while she undergoes
9 treatment for clinical depression. See Mtn. for Protective Order at 4; Oakland Conditional
10 Non-Opp. at 1. Cross-claimant City of Oakland and Defendant The Hartford conditionally
11 do not oppose the present motion but request a time limit for the deposition to avoid open-
12 ended delay. See City of Oakland Conditional Non-Opposition; Hartford Joinder (Dkt. 77).

13 Plaintiff Nelson’s motion establishes good cause at this time for the entry of a
14 protective order under Federal Rule of Civil Procedure 26(c) only for the specific three-
15 month duration of her treatment beginning September 30, 2014, as represented by Dr.
16 Edwards. Therefore, this Court GRANTS IN PART Nelson’s motion for a protective order
17 insofar as it grants Nelson relief for three months beginning September 30, 2014, and
18 ORDERS Nelson to produce herself for deposition no later than January 15, 2015.

19 **IT IS SO ORDERED.**

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21 Dated: November 14, 2014



CHARLES R. BREYER
UNITED STATES DISTRICT
JUDGE