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2 UNITED STATES DISTRICT COURT  
3 NORTHERN DISTRICT OF CALIFORNIA  
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7 UNITED STATES OF AMERICA,  
8 Plaintiff,

No. C 07-4762 PJH

**ORDER RE PLAINTIFF'S REQUEST  
FOR CLARIFICATION**

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10 CHARLES CATHCART, et al.,  
11 Defendants.

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13 On November 19, 2008, the court referred all discovery matters in this case to  
14 Magistrate Judge Spero for resolution pursuant to Civil Local Rule 72-1. On May 8, 2009,  
15 Magistrate Judge Spero granted the United States' ("plaintiff") motion for leave to take five  
16 additional depositions pursuant to Rule 30 of the Federal Rules of Civil Procedure. On May  
17 14, 2009, defendant Charles Hsin ("Hsin") filed objections to this ruling. On May 15, 2009,  
18 Hsin filed an administrative motion seeking an order staying the depositions of Randolph  
19 Anderson, Timothy Scrantom, Allison Skinner and Franklin Thomason until this court rules  
20 on his objections to Magistrate Judge Spero's Order.

21 On May 19, 2009, the court issued an Order granting Hsin's administrative motion to  
22 stay depositions, stating that plaintiff "shall not depose any person until this court rules on  
23 Hsin's objections to Magistrate Judge Spero's Order." Presently before the court is a letter  
24 submitted by plaintiff seeking clarification as to whether the stay imposed applies to the  
25 depositions of Nigel Wood and Colin Bowen, scheduled for May 27 and 28, 2009,  
26 respectively. In its letter, plaintiff requests that the court clarify its Order to allow these  
27 depositions to take place as scheduled because they are not among the five additional  
28 depositions authorized by Magistrate Judge Spero and objected to by Hsin. Plaintiff's  
request is GRANTED. The court hereby clarifies that the May 19, 2009 stay was intended

1 to apply only to the five additional depositions authorized by Magistrate Judge Spero on  
2 May 8, 2009. The depositions of Wood and Bowen shall proceed as scheduled.

3 **IT IS SO ORDERED.**

4 Dated: May 20, 2009



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PHYLLIS J. HAMILTON  
United States District Judge

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