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United States District Court  
Northern District of California

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

VIETNAM VETERANS OF AMERICA, et al.,  
Plaintiffs,  
v.  
CENTRAL INTELLIGENCE AGENCY, et al.,  
Defendants.

Case No.: 09-cv-0037 CW (JSC)  
**ORDER RE: JOINT STATEMENT OF  
DISCOVERY DISPUTE (Dkt. No. 482)**

Now pending before the Court is the parties' Joint Statement of Discovery Dispute regarding the length of the depositions of two of Plaintiffs' expert witnesses. (Dkt. No. 482.) The Court finds that the matter is suitable for determination without oral argument, pursuant to Civil Local Rule 7-1(b). Having considered the papers submitted to the Court, the Court GRANTS Defendants' request.

Defendants seek to exceed the seven hour deposition limit for two of Plaintiffs' experts, Dr. Steven Bird and Dr. Jeffery Laskin. Defendants contend that there is good cause to extend the time for their depositions up to 14 hours each given the length and scope of their expert reports. Plaintiffs object to Defendants' request as premature.

The Court has granted broad discovery in this case based on the scope of this putative class action with claims which cover multiple decades and four different government agencies.

1 This discovery has resulted in many millions of pages of documents and non-expert testimony  
2 in excess of Federal Rule of Civil Procedure 30(a)(2)(A)'s limits. Given this broader context  
3 and the fact that these experts appear to be offered to comment on the potential long-term  
4 health effects of at least 28 different chemical substances, the medical inaccuracies of  
5 Defendants' outreach materials, and proper medical follow-up, Defendants have demonstrated  
6 good cause to exceed Rule 30(d)(1)'s seven hour limit.<sup>1</sup>

7 Accordingly, Plaintiffs shall make Dr. Bird and Dr. Laskin available for up to fourteen  
8 hours of deposition testimony each. The depositions shall be limited to seven hours per day  
9 unless the parties agree otherwise. Although Defendants are entitled to up to 14 hours, they  
10 should only use as much time as actually necessary.

11 This Order disposes of Docket No. 482.

12 **IT IS SO ORDERED.**

13 Dated: September 7, 2012

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16 JACQUELINE SCOTT CORLEY  
17 UNITED STATES MAGISTRATE JUDGE  
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28 <sup>1</sup> The Court notes that it was not provided with copies or excerpts from the expert reports, and  
instead, relies upon representations made in the joint statement regarding the contents of their  
expert reports.