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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STUART P. TITUS, et al.,
Plaintiffs,
v.
HUMBOLDT COUNTY FAIR
ASSOCIATION, et al.,
Defendants.

Case No. 14-cv-01043-SBA (DMR)

**ORDER REGARDING DISCOVERY
LETTER BRIEFS**

Re: Dkt. Nos. 110, 112

The court is in receipt of the parties' November 4, 2015 joint discovery letter [Docket No. 110] and November 13, 2015 letter from Ms. Tyler [Docket No. 112] regarding the attendance of Ms. Tyler at upcoming depositions. The court finds that the matter is appropriate for resolution without oral argument pursuant to Civil Local Rule 7-1(b).

Depositions are scheduled to begin on November 16, 2015. [Docket No. 110]. Ms. Tyler is not a party; she is a claims manager for defendants' insuring entity. Plaintiffs seek to exclude her from attending depositions due to allegedly disruptive conduct in past depositions. Defendants assert that she was not disruptive, and should be able to attend in order to observe the deponents and assess their effectiveness and credibility.

The parties have represented to the court that all of the scheduled depositions, with the exception of one, will be videotaped, and that arrangements can easily be made for a person to observe all scheduled future depositions by Skype, Facetime, or a similar program. [Docket No. 114.] Therefore, the court rules as follows. Ms. Tyler may observe the depositions remotely through a system such as Skype, Facetime, or similar program. The program shall be muted on Ms. Tyler's side during the deposition, so that she can type on her computer without causing noise in the deposition room, while having the opportunity to observe the witness. Ms. Tyler will also

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be able to assess the witnesses by viewing their videotaped depositions.

IT IS SO ORDERED.

Dated: November 13, 2015



Donna M. Ryu
United States Magistrate Judge