

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

PAUL VELIZ, et al.,
Plaintiff(s),

No. C 03-1180 RS (MEJ)

ORDER RE DROGIN DEPOSITION

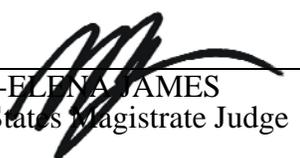
vs.

CINTAS CORPORATION, et al.,
Defendant(s).

The Court is in receipt of the parties' two joint discovery dispute letters regarding the deposition of Plaintiffs' damage expert, Dr. Richard Drogin. (Dkt. ## 1037, 1038.) Defendant seeks an order compelling Dr. Drogin to appear immediately for deposition; however, Plaintiffs seek a protective order continuing the deposition until some time after he updates his expert report. Resolution of this dispute largely depends on whether Dr. Drogin is permitted to update his report, given that the deadline for expert reports expired 14 months ago. And, as the undersigned previously ruled, any request to amend the expert report past the deadline is a case management issue which is beyond the scope of the her discovery jurisdiction. (Dkt. #1049.) Accordingly, Dr. Drogin's deposition shall go forward within 21 days of Magistrate Judge Seeborg's determination of whether the expert report deadline may be continued to permit Dr. Drogin's amended report.

IT IS SO ORDERED.

Dated: November 17, 2008



MARIA-ELENA JAMES
United States Magistrate Judge