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

MARK E. SUNNERGREN,
Plaintiff,
v.
SHERIFF GREGORY AHERN and
DEPUTY GEORGE ARNOLD,
Defendants.

No. C 10-2690 LHK (PR)
ORDER GRANTING LEAVE TO
DEPOSE PLAINTIFF

Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against Defendants Sheriff Gregory Ahern and Deputy George Arnold. On October 27, 2010, the Court directed the Defendants to file a motion for summary judgment or other dispositive motion, or a notice that they are of the opinion this case cannot be resolved by such a motion, by January 25, 2011. On November 2, 2010, Defendants filed a letter to the Court requesting leave to depose the Plaintiff, pursuant to Federal Rule of Civil Procedure 30(a)(2)(B). Rule 30(a)(2)(B) provides that, in order to take an oral deposition, a “party must obtain leave of court, and the court must grant leave to the extent consistent with Rule 26(b)(2) . . . if the deponent is confined in prison.”

Under Rule 30(a)(2), Defendants have a right to depose Plaintiff in order to prepare a thorough defense to Plaintiff’s claims. Good cause appearing, Defendants’ request for leave to

1 depose Plaintiff is GRANTED. Plaintiff's deposition may be taken upon reasonable notice as
2 provided by Rule 30(b). The San Quentin State Prison shall allow for the deposition of Plaintiff
3 at a date and time that is mutually convenient for Defendants and the prison. The prison shall
4 provide appropriate security personnel and a reasonable space for the deposition, allowing for
5 the presence of Defendants' counsel, a representative of Defendants, if they choose to have one
6 present, a stenographer or court reporter, Plaintiff, and security personnel.

7 IT IS SO ORDERED.

8 DATED: 11/10/2010


9 LUCY H. KOH
10 United States District Judge

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