

E-filed: November 2, 2012

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6 NOT FOR CITATION
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 LOAY S. NASER,

No. C10-04475 EJD (HRL)

11 Plaintiff,

ORDER ON DDJR #1

12 v.

[Dkt. 62]

13 METROPOLITAN LIFE INSURANCE
14 COMPANY, ET AL.,

15 Defendants.

16 In this employment suit plaintiff Loay S. Naser (“Naser”) seeks relief against defendants
17 Metropolitan Life Insurance Company, MetLife Enterprise General Insurance Agency, Inc., and
18 MetLife Securities (collectively “MetLife”) for alleged (1) wrongful/discriminatory termination; (2)
19 hostile work environment; (3) failure to pay owed wages; and (4) failure to reimburse reasonable
20 and necessary expenses. MetLife has already deposed Naser for the seven hours allowed under Rule
21 30(d)(1) of the Federal Rules of Civil Procedure but it would like to depose Naser for an additional
22 seven hours. Naser opposes this request.

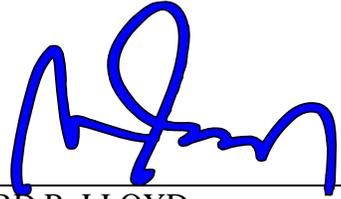
23 Rule 30(d)(1) limits a deposition to one day of seven hours but “[t]he court must allow
24 additional time consistent with Rule 26(b)(2) if needed to fairly examine the deponent.” Fed. R.
25 Civ. P. 30(d)(1). The Court has reviewed the competing contentions of the parties and finds that
26 additional time is needed for a fair examination of Naser. Naser is the plaintiff in this case and he
27 brings a range of employment claims that span approximately 18 years. He is also the sole fact
28 witness that Defendants seek to depose. For these reasons, the Court grants MetLife leave to

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conduct further oral examination of Naser for one additional day of up to seven hours no later than November 16, 2012.¹

IT IS SO ORDERED.

Dated: November 2, 2012



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

¹ Because this DDJR was timely filed, MetLife may have the additional day of deposition even though discovery has otherwise closed.

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C10-04475 EJD (HRL) Order will be electronically mailed to:

Barbara Giuffre: Barbara@igc.org

Caroline Donelan: caroline.donelan@dlapiper.com

Elliot Schlesinger Katz: elliot.katz@dlapiper.com, sandra.sowell@dlapiper.com

Ethan G. Zelizer: ethan.zelizer@dlapiper.com, docketingchicago@dlapiper.com

Richard B. Glickman: glickmanlawcorp@yahoo.com

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