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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

JAMES SCOTT,

V.

Plaintiff,

JANET A. NAPOLITANO, SECRETARY, DEPARTMENT OF HOMELAND SECURITY,

Defendant.

Case No. 08cv735 BTM(JMA)

ORDER DENYING REQUEST FOR COURT-APPOINTED EXPERT

Plaintiff has filed a request for the Court to appoint an expert in the field of tax accounting so that the expert may advise the Court on the tax consequences of a damage award in this case. Under Fed. R. Evid. 706, a court may appoint an independent expert witness either on its own motion or a party's motion. However, reasonably construed, Rule 706 is not meant to be used to appoint an expert to aid one of the parties. See Rodriguez v. Tilton, 2013 WL 1402731, at * 5 (E.D. Cal. Apr. 5, 2013); Stakey v. Stander, 2011 WL 887563, at * 3 (D. Idaho March 10, 2011). If Plaintiff believes that tax consequences have a bearing on the amount of damages that he should be awarded, Plaintiff can retain a tax expert to assist him in his case. Therefore, Plaintiff's request for a Court-appointed tax expert is **DENIED**.

IT IS SO ORDERED.

DATED: August 30, 2013

BARRY TED MOSKOWITZ, Chief Judge United States District Court