UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ENEDINO DURAN GOMEZ, et al.,

Plaintiff,

v.

ROSSI CONCRETE, INC.,

Defendant.

Case No. 08cv1442 BTM (CAB)

ORDER RE PLAINTIFFS' REQUEST THAT DEFENDANTS LODGE DEPOSITION TRANSCRIPTS

Plaintiffs have filed a request that Defendants lodge the original deposition transcripts of John Lowery and Aryella Stickney with the Court [Doc. 68]. They make their request under Federal Rule of Civil Procedure 32(a)(6). That rule says that "[i]f a party offers in evidence only part of a deposition, an adverse party may require the offeror to introduce other parts that in fairness should be considered with the part introduced, and any party may itself introduce any other parts." Fed. R. Civ. P. 32(a)(6). The rule, however, does not support Plaintiffs' request.

Plaintiffs are the ones who offered the Lowery and Stickney depositions into evidence. And they are the ones who offered "only part of a deposition." *Id.* Moreover, the rule does not require entire, original deposition transcripts to be lodged with the Court. If Plaintiffs wanted the Court to consider other parts of the deposition, they should have included those parts in their motion.

The request is **DENIED.**

IT IS SO ORDERED.

DATED: July 6, 2010

Honorable Barry Ted Moskowitz
United States District Judge

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