


1 to harass her through unnecessary attempts to obtain information they already have. According to
2 Plaintiff, these are valid reasons to refuse to submit to a live deposition. Instead, Plaintiff has
3 attempted to dictate the conditions of the deposition by offering to answer interrogatories or submit
4 to a telephone interview. These arguments have been dismissed by this court and the Magistrate Judge
5 on several prior occasions. This court sees no reason to believe Defendants wish to use the deposition
6 as a tool of harassment. Barring such a concern, Defendants do not need to provide any “reasonable
7 showing” or justification for pursuing their discovery rights under Fed. R. Civ. P. 30.

8 The court has provided Plaintiff with ample opportunity to comply with its orders and, as
9 described in the Report, has been exceedingly accommodating of Plaintiff’s concerns about her safety
10 and the scope of deposition questions. Nevertheless, Plaintiff has willfully refused to comply with
11 the court’s orders. Plaintiff was clearly warned that her failure to comply would likely result in
12 dismissal of her case.

13 Therefore, having carefully considered the thorough and thoughtful R&R, the record before
14 the court, Petitioner’s objections to the R&R, and the applicable authorities, the court **ADOPTS** the
15 R&R in its entirety. (Doc. No. 36.) Accordingly, the action is hereby **DISMISSED WITH**
16 **PREJUDICE**. The Clerk of Court is instructed to close the case file.

17 **IT IS SO ORDERED.**

18 DATED: July 13, 2009

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20 Hon. Jeffrey T. Miller
United States District Judge

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