

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01287-MSK-MJW

JOHN DOE,
JANE DOE,
E.C., by her parents and next friends,
E.S.C., by his parents and next friends, and
J.C., by his parents and next friends,

Plaintiffs,

v.

JOANNA MCAFEE,
LISA LITTLE,
JOEY HARRIS,
MITCHELL MIHALKO, and
CHAD HAYNES,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Defendants' Motion to Compel Plaintiffs Jane and John Doe's Attendance at a Deposition in Colorado (**Docket No. 105**) is **GRANTED**. Plaintiffs are generally expected to appear for depositions in the forum in which they filed their lawsuit. *Srebnik v. Dean*, Case No. 05-cv-01086-WYD-MJW, 2006 WL 2331014 (D. Colo. June 20, 2006). Although that presumption can be overcome on appropriate circumstances – such as where the deponent, though a party to the action, lives a substantial distance from the forum and cannot reasonably be expected to travel for some reason – it has not been overcome here. Plaintiffs' belief that El Paso County may retaliate against them in some unspecific manner is insufficient.

It is therefore ORDERED that (1) Plaintiff's John Doe and Jane Doe shall appear in Colorado for their depositions in this case; and (2) as offered in their Motion to Compel (see Docket No. 105 ¶ 2(f)), Defendants shall pay round-trip coach airfare for Plaintiffs' travel for purposes of these depositions.

Date: April 21, 2015
