

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

ROBERT E. TARDIF, JR., as Trustee for Jason
Yerk,

Plaintiff,

-vs-

Case No. 2:09-cv-537-FtM-29SPC

PEOPLE for the ETHICAL TREATMENT of
ANIMALS, a Virginia not-for-profit corporation,

Defendant.

ORDER

This matter comes before the Court on the Plaintiff Robert Tardiff as trustee for Jason Yerk's Motion to Allow Appearance at Deposition by Video Conference (Doc. #98) filed on March 22, 2011. The Defendant, PETA filed its Response in Opposition and Motion for a Protective Order (Doc. # 99) on March 28, 2011. The Plaintiff has subsequently filed two Notices (Doc. # 100 & 101) stating that he was willing to re-notice and/ or reschedule the depositions at issue in these Motions. The Plaintiff also seeks to respond to the Defendant's Motion for a Protective Order. Given the nature of the dispute that has arisen over the depositions at issue here, the Court finds good cause to hold a hearing on the outstanding Motions.

Accordingly, it is now

ORDERED:

(1) The Plaintiff has up to and including **Tuesday, April 5, 2011, at 12:00noon**, to file an expedited Response to the Defendant's Response and Motion for a Protective Order.

(2) The Parties shall appear before the undersigned for a hearing on the issues presented in their respective Responses and Motions on **Wednesday, April 6, 2011, 10:30am.** at the United States Courthouse and Federal Building, 2110 First Street, Courtroom 5D, Fort Myers, Florida 33901.

(3) **The Parties may appear via telephone.** In order to appear via telephone the Parties must contact Leslie Hinton, Courtroom Deputy to the Honorable Sheri Polster Chappell, at **(239) 461-2068**, and provide the Court with a telephone number where they maybe reached at the set date and time of the hearing.

DONE AND ORDERED at Fort Myers, Florida, this 29th day of March, 2011.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record