

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 08-23318-CIV-SEITZ/O'SULLIVAN

CARNIVAL CORPORATION, CARNIVAL
PLC and CUNARD LINE, LTD,

Plaintiffs,

vs.

ROLLS-ROYCE PLC, ROLLS-ROYCE AB,
ROLLS-ROYCE NORTH AMERICAN HOLDINGS,
INC., ROLLS-ROYCE COMMERCIAL MARINE, INC.,
CONVERTEAM SAS f/k/a ALSTOM POWER
CONVERSION SA, CONVERTEAM, INC. f/k/a
ALSTOM POWER CONVERSION, INC., ROLLS-
ROYCE AB and CONVERTEAM SAS, jointly and
severally, d/b/a THE MERMAID CONSORTIUM,

Defendants.

_____ /

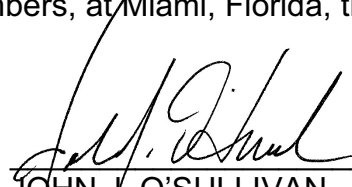
ORDER

THIS MATTER is before the Court on an informal discovery conference held on June 29, 2009. Having heard from the parties and for the reasons stated on the record, it is

ORDERED AND ADJUDGED that the plaintiff's request for a protective order on further Rule 30(b)(6) depositions is granted. The Court's ruling is based on the April 14, 2009 informal discovery conference and written Order (DE# 39, 4/14/09). The Court further relies on the case of State Farm Mutual Automobile Ins. Co. v. New Horizon, Inc., 254 F. R. D. 227, 235-236 (E.D. Pa. 2008) and Rule 26(b)(2)(c) (ii) which states that a district court "must limit the frequency or extent of discovery" if it determines that "the party seeking discovery has had ample opportunity to obtain the information by discovery in the action." Fed. R. Civ. P. 26(b)(2)(c) (ii). In the instant case, the

defendants have had ample opportunity to obtain the information they seek by designating these topics in their Rule 30(b)(6) deposition notice. During the April 14, 2009 discovery hearing, defense counsel indicated to this Court that he wanted to conduct 30(b)(6) depositions early in the proceedings. The defendant was warned that the Court would not allow additional 30(b)(6) depositions. See Transcript of April 14, 2009 Hearing (DE# 46 at 21, 4/29/09) (the Court stating that “I have warned the defendant that if you take these 30(b)(6) depositions, don’t come back and ask for another one.”). The Court finds that the 30(b)(6) deposition testimony already taken is binding on the plaintiffs as to all issues.

DONE AND ORDERED, in Chambers, at Miami, Florida, this 29th day of June, 2009.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
U.S. District Judge Seitz
All counsel of record