1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 7 FOR THE NORTHERN DISTRICT OF CALIFORNIA 8 9 10 DONNA MCMILLAN, et al., No. C 08-05739 WHA 11 Plaintiffs, 12 ORDER RE REQUEST FOR v. ADJUSTMENT OF DEPOSITION 13 WELLS FARGO BANK, ORDER AND SCHEDULE 14 Defendant. 15 16 Ms. McMillan should be deposed by video conferencing on July 24, 2009 with 17 plaintiffs' counsel paying the costs of video conferencing. While good cause has not been 18 shown to change the deadlines, good cause has been shown to depose Ms. McMillan in 19 Minneapolis due to her family situation. In the future, please do not make allegations of family 20 exigencies such as terminal illness without a declaration. 21 Alternatively, at the election of defense counsel, Ms. McMillan may be deposed in 22 person in Minneapolis on July 24 and plaintiffs' counsel shall pay for the costs of one lawyer to 23 fly coach to Minnesota to take the deposition. This election must be made BY NOON ON 24 **JULY 22, 2009** in writing. 25 26 IT IS SO ORDERED. 27 28 Dated: July 21, 2009.

UNITED STATES DISTRICT JUDGE