

1. Scott Harris and ICR served a Notice for a Rule 30(b)(6) deposition of Fish on December 12, 2007. On January 29, 2008 and January 31, 2008, Scott Harris and ICR served Notices for the depositions of the following Fish attorneys and employees: Ruffin Cordell, Peter Devlin, John Dragseth, Sharon Gebhart, Katherine Lutton, John Phillips, John Steele, and Dorothy Whelan; each of them have knowledge pertinent to Fish's claims. The depositions were noticed for Chicago, where Fish filed its Complaint against Scott Harris, and where Fish filed its Counterclaim against ICR.

2. After counsel for Scott Harris repeatedly requested Fish for a schedule for the depositions in Chicago, on March 10, Fish counsel indicated that the deponents would be produced at various locations around the country. Fish has since revised its position; however it still proposes that the majority of the depositions be conducted in locations other than Chicago.

3. Fish did not move for a protective order; it simply refuses to produce its witnesses in Chicago. The general rule is that, "in the absence of compelling circumstances or extreme hardship, a plaintiff should appear for a deposition in the forum of his choice – even if he is a non resident." Orrison v. The Balcors Co., 132 F.R.D. 202-203 (N.D. Ill. 1990). Accord, MCI Worldcom Network Services v. Atlas Excavating, Inc., 2004 U.S. Dist. LEXIS 2736 at *4 (N.D. Ill. 2004) ("because MCI brought suit in the Northern District of Illinois, it must make party witnesses available in Chicago, even if these witnesses live elsewhere.")

4. Furthermore, Scott Harris is an individual with limited resources and conducting depositions at various locations around the country would be a significant financial burden.

Respectfully submitted,

/s/ Paul K. Vickrey

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **SCOTT HARRIS'S AND ICR'S MOTION TO COMPEL DEPOSITIONS OF FISH WITNESSES IN CHICAGO, ILLINOIS** was electronically filed with the Clerk of Court using CM/ECF system. In addition, the undersigned is serving the following attorney by electronic mail:

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on March 18, 2008.

/s/ Paul K. Vickrey. _____