UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

AMEC CONSTRUCTION MANAGEMENT, INC.

VERSUS

FFIC RISK MANAGEMENT SERVICES, INC. D/B/A AND FIREMAN'S FUND INSURANCE COMPANY

CIVIL ACTION

NUMBER 13-718-JJB-SCR

RULING ON MOTION TO COMPEL 30(b)(6) DEPOSITION

Before the court is the Motion to Compel 30(b)(6) Deposition of Fireman's Fund Insurance Company. Record document number 59.

Plaintiff seeks an order to "compel [Fireman's Fund Insurance Company] FFIC to give dates for the [Rule] 30(b)(6) corporate deposition of FFIC to AMEC within the next sixty (60) days."

Rule 30, Fed.R.Civ.P., does not require FFIC to provide convenient deposition dates to the plaintiff. Rule 30(a) only requires the plaintiff to give the defendant "reasonable written notice." If the defendant believes there is good cause to do so, the defendant may move for a protective order, under Rule 26(c), as to the timing of the deposition or scope of the notice, including production of any documents requested pursuant to Rule 30(b)(2).[1] Otherwise, the defendant is obligated to designate one or more persons to appear and testify on its behalf at the deposition and

[1] Rule 26(c) requires the party seeking protective order to show good cause for issuing the order.

to produce documents if a production request is made.[2]

Nothing in the motion or supporting memorandum indicates that FFIC failed to appear for a properly noticed Rule 30(b)(6) deposition. Although the plaintiff served a notice for a deposition to take place on August 6, 2015,[3] the notice was for the purpose of giving the defendant an opportunity to determine the correct person or persons to appear on its behalf and working out any disagreements with the scope of the deposition - effectively a draft notice. And while there were subsequent discussions among counsel regarding the scope of the deposition,[4] another notice was not issued. In these circumstances, there is no basis to compel the defendant to do anything.

Accordingly, the plaintiff's the Motion to Compel 30(b)(6) Deposition of Fireman's Fund Insurance Company is denied.

Baton Rouge, Louisiana, September 18, 2015.

Stephen C. Riedlinger

STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE

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[2] A party may not use Rule 30(b)(2) to shorten the time another party would have under Rule 34 to produce documents.

[3] Record document number 59-3, Exhibit A.

[4] Record document number 59-4, Exhibit B; and record document number 59-5, Exhibit C.