

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

ROBERT WASHINGTON

CIVIL ACTION NO. 11-cv-1906

VERSUS

JUDGE DOHERTY

OMEGA PROTEIN INC.

MAGISTRATE JUDGE HANNA

ORDERS

On Tuesday, May 28, 2013, the undersigned magistrate judge heard oral arguments on three discovery motions filed by Plaintiff: Motion to Compel Discovery Responses [Rec. Doc. 40], Motion to Compel Depositions of Crew Members [Rec. Doc. 50], and Motion to Compel Vessel Inspection [Rec. Doc. 51]. After considering the memoranda of the parties on all motions, and based on the representations of the parties that a vessel inspection has been scheduled for June 29, 2013, and that they have agreed on the arrangements for the requested depositions of crew members who are under the control of Omega, to be scheduled on Saturdays, beginning in late June, 2013 without the necessity of subpoena;

IT IS ORDERED THAT the motion presented in Rec. Doc. 51 is DENIED as moot;

IT IS FURTHER ORDERED THAT, the motion to compel depositions [Rec. Doc. 50] is similarly DENIED as moot;

IT IS FINALLY ORDERED THAT Plaintiff's motion to compel production [Rec. Doc. 40] of statements of crew members taken shortly after the incident at issue by an investigator hired by the defendant is DENIED for the present, on Plaintiff's failure to meet the burden imposed by Rule 26(b)(3)(A) to show substantial need and inability, without undue hardship, to obtain the substantial equivalent by other means.

Signed at Lafayette, Louisiana on May 28, 2013.

A handwritten signature in black ink, appearing to read 'Patrick J. Hanna', written over a horizontal line.

Patrick J. Hanna
United States Magistrate Judge