

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)	
JAYME GORDON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:11-cv-10255-JLT
)	
DREAMWORKS ANIMATION SKG,)	
INC., DREAMWORKS ANIMATION)	
LLC, and PARAMOUNT PICTURES)	
CORP.,)	
)	
Defendants.)	
)	
)	

**DEFENDANTS' MOTION TO DISMISS FOR
PLAINTIFF'S FAILURE TO APPEAR AT DEPOSITION**

Pursuant to Fed. R. Civ. P. 37, and for the reasons set forth more fully in the accompanying memorandum of law and Affidavit of Jonathan Zavin, defendants DreamWorks Animation SKG, Inc., DreamWorks Animation LLC, and Paramount Pictures Corp. hereby move to dismiss the case, or alternatively for an order compelling plaintiff Jayme Gordon to appear for deposition within two weeks of the Court's order, together with an order that Gordon and his counsel pay to the defendants their costs and attorneys' fees incurred in connection with this motion. As grounds for the motion, the defendants state that the deposition of Jayme Gordon was noticed weeks in advance for October 19, 2011, and that Gordon has refused to appear for his deposition without good reason.

Dated: October 19, 2011

Respectfully submitted,

DREAMWORKS ANIMATION SKG, INC.,
DREAMWORKS ANIMATION, LLC, and
PARAMOUNT PICTURES CORP.,

By their attorneys,

/s/ Julia Huston

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify pursuant to Local Rule 7.1(a)(2) that the moving party has conferred in good faith with opposing counsel on the matter set forth herein, as set forth in the accompanying Affidavit of Jonathan Zavin and correspondence attached thereto, and was unable to narrow or resolve the issues raised in this motion.

/s/ Julia Huston
Julia Huston

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and a paper copy was sent to those indicated as non-registered participants on October 19, 2011.

/s/ Julia Huston
Julia Huston