

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAYME GORDON,

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Plaintiff,

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v.

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Civil Action No. 11-10255-JLT

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

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Defendants.

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ORDER

November 17, 2011

TAURO, J.

After considering Plaintiff's Emergency Motion for a Protective Order and Sanctions [#34] and Defendants' Motion to Dismiss for Failure to Appear at Deposition [#36], and conducting a Hearing on November 17, 2011, the court hereby orders that:

1. Defendants will depose Plaintiff Jayme Gordon on December 14th and 15th, 2011. The deposition will take place at the offices of Defendants' local counsel in Boston, MA. No continuances will be granted. Failure to appear may result in sanctions including dismissal of this action.
2. Defendants will not further investigate Plaintiff until after Plaintiff's deposition has taken place. At that time, Defendants may conduct such investigation of Plaintiff as is consistent with the law, and with the reasonable requirements of Defendants' continued litigation of this matter.
3. Defense Counsel will propose dates of January 3, 4, 5, or 6, of 2012 for Plaintiff's

Counsel to depose Jeffrey Katzenberg. If none of those dates is possible, Defense Counsel will timely propose alternate dates for Mr. Katzenberg's deposition to take place. Two days are authorized for Mr. Katzenberg's deposition.

4. Plaintiff may issue subpoenas duces tecum to the Walt Disney Co. as needed to obtain documents and information related to Plaintiff's claims in the present litigation.
5. Plaintiff's Emergency Motion for Protective Order and Sanctions [#34] and Defendant's Motion to Dismiss for Failure to Appear at Deposition [#36] are DENIED WITHOUT PREJUDICE to the issue of sanctions relating to the conduct of both Parties' Counsel during the discovery process being taken up by the court at a later time.
6. With the above-mentioned exceptions, the remainder of this court's Scheduling Order [#32] of August 17, 2011, REMAINS IN EFFECT.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge