

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 13-10744-RGS

GOVERNMENT EMPLOYEES INSURANCE COMPANY,
GEICO GENERAL INSURANCE COMPANY, and
GEICO INDEMNITY COMPANY

v.

DORCHESTER CHIROPRACTIC, INC.,
GERARD BLACKWOOD, D.C., and ERIC LUSTGARTEN, D.C.

ORDER ON MOTION TO COMPEL TESTIMONY

November 6, 2013

STEARNS, D.J.

The court hereby ORDERS nonparty witness James Joseph to appear at a deposition (Notice of when and where to appear will be attached by plaintiffs to a copy of this Order which is to be personally served on Mr. Joseph). At the deposition, Mr. Joseph is ORDERED to either clearly state whether he intends to invoke his Fifth Amendment privilege against self-incrimination (understanding that an adverse inference may be drawn against him as a result in a subsequent civil proceeding to which he may be a party or witness)¹, or, in the alternative, to answer all relevant questions posed during

¹ The court at this time sees no legal basis on which an adverse inference could be drawn against a third-party based on Mr. Joseph's invocation of the privilege, there being no showing that Mr. Joseph is acting as an attorney, agent, or alter ego of any other party to this lawsuit.

a further deposition of reasonable length not to exceed four (4) hours.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE