

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
ANDREW CONWAY, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 13-12193-LTS
)	
SAM LICATA, et al.,)	
)	
Defendants.)	
_____)	

ORDER ON PLAINTIFFS’ MOTION TO COMPEL

October 20, 2014

SOROKIN, J.

The plaintiffs filed a twenty-page memorandum in support of their motion to compel the defendants’ expert (1) to disclose his educational background; (2) to disclose his list of publications; (3) to disclose the list of prior cases in which he has testified; and (4) to accept less than \$350 for his deposition and \$250 for his preparation time. In addition, the plaintiffs request that the Court order the defendants to bear the cost of their own counsel’s travel to Los Angeles to attend the deposition.

Items one through three are straightforward matters that the Court reasonably would have expected counsel to resolve among themselves given that the opposition discloses (1) the expert’s training arises from work rather than formal education (he left college prior to graduation to begin his career in the music industry), (2) that he has no publications, and (3) that he has not testified in a case prior to this one. The Motion is DENIED as to items one through three.

The expert's fee of \$350 for his deposition and \$250 for his preparation time is reasonable on its face in light of his experience in the industry. Accordingly, the Motion is DENIED as to item four.

Each side shall bear its own costs to attend the deposition of the defendants' expert in Los Angeles.

Accordingly, the Motion to Compel, Doc. No. 141, is ALLOWED IN PART AND DENIED IN PART as set forth above.

SO ORDERED.

 /s/ Leo T. Sorokin
Leo T. Sorokin
United States District Judge