

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

NORMA RUIZ, a/k/a NORMA FONTAIN)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO. 12-cv-40069-TSH
THE PRINCIPAL FINANCIAL GROUP d/b/a)	
PRINCIPAL LIFE INSURANCE COMPANY,)	
et al.,)	
Defendants.)	
_____)	

**ORDER ON PLAINTIFF'S MOTION FILED AT DOCUMENT #98
January 27, 2014**

Hennessey, M.J.

Pursuant to 28 U.S.C. § 636(b)(1)(A), and an order of referral (Docket #62), this matter was referred to me for a ruling on Plaintiff's Opposition and Reply to the Order by the Court of January 7, 2014; Exhibits 1, 2 and 3; and Motion to Recall the Order of January 7, 2014 (Document #98).

There is no merit to Plaintiff's position that she was unaware of her duty to attend her deposition. The facts and circumstances regarding Plaintiff's attempt to avoid her January 8, 2014 deposition are set forth in the Court's January 7, 2014 Order (Document #86). In addition, her obligation to appear at her deposition was reinforced by two, detailed voice messages on January 7, 2014, left by court employees on the telephone number that Plaintiff provided to the Court. This motion is DENIED.

So ordered.

/s/ David H. Hennessey
David H. Hennessey
United States Magistrate Judge