

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIE CALHOUN,

Case No. 07-11613

Plaintiff,

David M. Lawson

vs.

United States District Judge

LAVERN HILL, DIANA MARBLE,  
DEFENDANT OTF, JULIE VAN SETTERS,  
CORRECTIONAL MEDICAL SERVICE,  
CHRISTINE BEASLEY, MICHAEL  
GORDON, JEFF JANOWIZC, SHAHIDA  
DANIER, MICHAEL HENDERSON,  
AMIE JO GASKILL, DONNA MOYER,  
MELISSA HEARLD, DIANE DIETRICH,  
VICKI CURTICE, LYLE MINDLIN,  
DAN FINDLAY, KEUTH IVENS, BRENDA  
JONES, HOWARD TYREE, KARMEN  
BLOUNT, MARY BARNWELL, MARK  
DEHAAN, L. KLEINHARDT, SUSAN  
HAVENS, ROCCO DEMASI, NANCY  
BURNS, and SUSAN FEDEWA,

Michael Hluchaniuk

United States Magistrate Judge

Defendants.

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**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE  
TO TAKE PLAINTIFF'S DEPOSITION (Dkt. 98)**

This matter is before the Court on the motion for leave to take plaintiff's deposition filed on May 1, 2009, by defendants Correctional Medical Services, Inc. and Diana Marble, N.P. In support of their motion, defendants state that a

correctional facility generally requires a written court order to allow a deposition of a prisoner and defendants seek leave to take plaintiff's deposition under Federal Rule of Civil Procedure 30(a)(2), which requires leave of court to take the deposition of an incarcerated individual and which should be permitted when consistent with the principles outlined in Rule 26(b)(2).

Having considered defendants' motion, it is **GRANTED**. The MDOC must produce plaintiff for his deposition. The deposition of plaintiff must take place at a date and time as agreed on by the parties and the correctional facility on or before June 22, 2009.

**IT IS SO ORDERED.**

The parties to this action may object to and seek review of this Order, but are required to file any objections within 10 days of service as provided for in 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2). A party may not assign as error any defect in this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. Pursuant to Local Rule 72.1(d)(2), objections must be served on this Magistrate Judge.

Date: May 4, 2009

s/Michael Hluchaniuk  
Michael Hluchaniuk  
United States Magistrate Judge

### **CERTIFICATE OF SERVICE**

I certify that on May 4, 2009, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Stephen J. Bonasso, Ronald W. Chapman, Wilson A. Copeland, II, Kenneth M. Essad, Kimberley A. Koester, Clifton B. Schneider, Edward R. Stein, and Carly A. Van Thomme, and I certify that I have mailed by United States Postal Service the foregoing pleading to the plaintiff, a non-ECF participant, at the following addresses: Willie Calhoun, # 315974, CAMP CUSINO, N5398 Percy Road, Shingleton, MI 49884, and Willie Calhoun, # 315974, OJIBWAY CORRECTIONAL FACILITY, N5705 Ojibway Road, Marenisco, MI 49947-9771.\*

\*The court docket reflects that the plaintiff's address is the Camp Cusino Correctional Facility. However, a check with the Michigan Department of Corrections prisoner tracking system indicates that the plaintiff is currently located at the Ojibway Correctional Facility.

s/James P. Peltier  
Courtroom Deputy Clerk  
U.S. District Court  
600 Church Street  
Flint, MI 48502  
(810) 341-7850  
pete\_peltier@mied.uscourts.gov