

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**RAYMONE KNOX,**

**Plaintiff,**

**v.**

**BENNY NAPOLEAN, et al.,**

**Defendants.**

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**CIVIL ACTION NO. 13-cv-12364**

**DISTRICT JUDGE MATTHEW F. LEITMAN**

**MAGISTRATE JUDGE MONA K. MAJZOUB**

**OPINION AND ORDER GRANTING DEFENDANTS'  
MOTIONS FOR LEAVE TO TAKE PLAINTIFF'S DEPOSITION [28] AND [33]**

This is a prisoner civil rights complaint brought under 42 U.S.C. § 1983. Before the Court are Defendants' Motions for Leave to Take Plaintiff's Deposition. (Docket nos. 28 and 33.) Plaintiff has not filed a Response. Pursuant to Federal Rule of Civil Procedure 30(a)(2)(B), a party must obtain leave of court to take the deposition of a person confined in prison. Fed. R. Civ. P. 30(a)(2)(b). The court must grant leave to the extent consistent with Rule 26(b)(2). *Id.* Defendants also seek to take Plaintiff's deposition in person or remotely, at Defendants' option. (Docket no. 28 at 1; Docket no. 33 at 1.) A deposition may be taken by telephone or other remote means by order of the court or upon stipulation of the parties. Fed. R. Civ. P. 30(b)(4). Defendants assert that a remote deposition of Plaintiff would be more efficient and economical in light of Plaintiff's incarceration in Pennsylvania and defense counsel's location in Michigan. (Docket no. 28 at 3.) The Court agrees. Accordingly, Defendants' Motions for Leave to Take Plaintiff's Deposition (docket nos. 28 and 33) are GRANTED. Defendants are permitted to notice and take Plaintiff's deposition in person, by video conference, or by telephone as necessary, at a date, time and place

agreed upon by all parties.

**IT IS SO ORDERED.**

**NOTICE TO THE PARTIES**

Pursuant to Federal Rule of Civil Procedure 72(a), the parties have a period of fourteen days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: October 21, 2014

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

**PROOF OF SERVICE**

I hereby certify that a copy of this Order was served upon Steven Lyons and Counsel of Record on this date.

Dated: October 21, 2014

s/ Lisa C. Bartlett  
Case Manager