

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANNABEL,

Plaintiff,

No. 14-10244

v.

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

JACK FROST, ET AL.,

Defendants.

ORDER

Before the Court is Plaintiff's motion to strike Defendants' motion to take his deposition [Doc. #85].

Plaintiff filed a lawsuit, claiming retaliation by the Defendants, in violation of the First Amendment. Any defendant, including these Defendants, get to depose a plaintiff. Because Plaintiff is incarcerated, leave of the court is required to take his deposition. Fed.R.Civ.P. 30(a)(2). On July 25, 2017, I granted Defendants' motion for leave to take Plaintiff's deposition [Doc. #106]. Apart from the fact that Plaintiff's motion is moot, there was no basis to have stricken the Defendants' motion for leave in the first place.

Accordingly, Plaintiff's motion to strike [Doc. #85] is DENIED.

IT IS SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: July 30, 2017

CERTIFICATE OF SERVICE

I hereby certify on July 30, 2017, that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on July 30, 2017.

s/Carolyn Ciesla
Case Manager to
Magistrate Judge R. Steven Whalen