

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

NORAH C. OEHMKE,

Plaintiff,

v.

ORDER

Civil File No. 13-2415 (MJD/JSM)

MEDTRONIC, INC.,

Defendant.

Anthony Gabor and John D. Thompson, Oberman Thompson, LLC, Counsel for Plaintiff.

Marko J. Mrkonich, Kristine D. Yen, and Stephanie M. Laws, Littler Mendelson, PC, Counsel for Defendant.

The above-entitled matter comes before the Court on Defendant Medtronic, Inc.'s objections to Magistrate Judge Janie S. Mayeron's March 26, 2015 Order denying Defendant's Motion for a Protective Order. The Order permits the deposition only as limited to questions regarding Anthony Branch's recollection of what was stated during the February 24, 2010 meeting with Plaintiff.

This Court will reverse a magistrate judge's order on a nondispositive issue if it is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); D. Minn. L.R. 72.2(a). The Court has reviewed the submissions and the record in this case and concludes that Magistrate Judge Mayeron's March 26, 2015 Order is neither clearly erroneous nor contrary to law. Therefore, the March 26, 2015 Order is affirmed.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

1. United States Magistrate Judge Janie S. Mayeron's March 26, 2015 Order [Docket No. 39] is **AFFIRMED**. Plaintiff may conduct the deposition of Anthony Branch; however, the deposition is limited to questions regarding Branch's recollection of what was stated during the February 24, 2010 meeting with Plaintiff and Kathryn Engdahl. Counsel may not inquire into other communications Branch had at other times with other persons. Counsel may not inquire regarding Branch's mental impressions, litigation strategy, work product, or attorney-client privileged information. This Order does not impact any future ruling the Court may make regarding the admissibility of statements made during the February 24, 2010 meeting.
2. Defendant's Objection [Docket No. 42] is **OVERRULED**.

Dated: May 12, 2015

s/ Michael J. Davis _____

Michael J. Davis

Chief Judge

United States District Court