

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RAYMOND MAX WACHTER, JR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:12-CV-1753-JAR
)	
UNION PACIFIC RAILROAD COMPANY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant’s Motion for Protective Order and/or to Quash Notice of Deposition by Written Questions of Custodian of Records of Deangelo Brothers, Inc. and Utilco Railroad Services (“Motion”; ECF No. 13). In the Motion, Defendant seeks to quash Plaintiff’s notice of intention to take the deposition by written questions of the custodian of records of Deangelo Brothers, Inc. and Utilco Railroad Services (“Notice”). In the Notice, Plaintiff seeks “any and all contracts, records, billing invoices, and locations pertaining to all work for the Union Pacific Railroad Company in the state of Missouri for the last five years.”

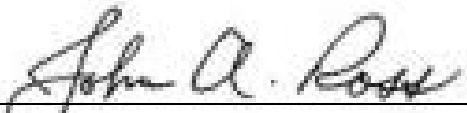
The parties held a conference call with the Court on this date regarding Defendant’s Motion. The parties argued their positions and with the Court there was an agreement reached.

Accordingly,

IT IS HEREBY ORDERED that Defendant’s Motion for Protective Order and/or to Quash Notice of Deposition by Written Questions of Custodian of Records of Deangelo Brothers, Inc. and Utilco Railroad Services [13] is **GRANTED**, in part, and **DENIED**, in part. Defendant will produce any provision in any contract with Deangelo Brothers, Inc. and Utilco Railroad Services related to the training or experience required to perform tree cutting or vegetation services for the Union Pacific Railroad Company in the state of Missouri for the last five years. Further, the deposition by

written questions of the custodian of records of Deangelo Brothers, Inc. and Utilco Railroad Services will not take place.

Dated this 4th day of April, 2013.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE