

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DONALD L. GRAY,	)	
	)	
Plaintiff,	)	4:07CV3249
	)	
V.	)	
	)	
BNSF RAILWAY COMPANY, a	)	<b>ORDER</b>
Delaware Corporation, and BROWN'S	)	
CREW CAR OF WYOMING, INC.,	)	
	)	
Defendants.	)	
_____	)	
	)	

This matter is before the court upon Plaintiff's motion for leave of court to take a [Fed. R. Civ. P. 30\(b\)\(6\)](#) deposition ([filing 83](#)). The court, having been fully advised in the premises, hereby grants Plaintiff's motion for leave.

IT IS ORDERED that Plaintiff is granted leave to take a 30-minute [Fed. R. Civ. P. 30\(b\)\(6\)](#) telephonic deposition of the person at BNSF Railway Company most knowledgeable on the following issues:

1. Has Plaintiff been released to return to work as a conductor without restrictions by the BNSF Medical Department;
2. On what information did the representative of Defendant BNSF Railway Company's Medical Department base his, her or its decision to release Plaintiff to return to work as a conductor without restrictions;
3. Will Plaintiff be allowed to continue to work as a conductor in his current medical condition.

March 23, 2009.

BY THE COURT:  
*s/Richard G. Kopf*  
United States District Judge