UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RICHARD CHUDACOFF, Plaintiff, vs. UNIVERSITY MEDICAL CENTER, *et al.*, Defendants.	Case No. 2:08-cv-00863-RCJ-GWF **ORDER** Emergency Motion for Protective Order (#372)

This matter comes before the Court on Plaintiff's Emergency Motion for Protective Order (#372), filed on March 2, 2012. Defendants filed a timely Opposition (#384) on March 5, 2012. Plaintiff filed a timely Reply (#403) on March 15, 2012. Plaintiff challenges Defendants' Subpoena to non-party Delphi Healthcare Partners, Inc. ("Delphi") as untimely. Plaintiff also argues the information sought is privileged.

The discovery cutoff in this matter was February 21, 2012. Plaintiff represents Defendants issued their subpoena on February 29, 2012. The Court, however, accepts Defendants' representation that Plaintiff did not disclose Delphi as a witness until the last day of the discovery cutoff. Furthermore, the instant Motion is moot because Delphi has already disclosed the documents subpoenaed. Finally, the Court finds that the information Defendants sought was not privileged. Accordingly,

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IT IS HEREBY ORDERED that Plaintiff's Emergency Motion for Protective Order is **denied**.

DATED this 17th day of January, 2013.

GEORGE FOLEY, JR.
United States Magistrate Judge