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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JULIO ANTELO, Plaintiff, vs. DEPUY SYNTHES PRODUCTS, LLC; DEPUY SYNTHES SALES, INC., Defendants.	)	Case No. 2:13-cv-01613-MMD-GWF **ORDER**

This matter is before the Court on Plaintiff's Status Report (#31), filed January 28, 2015. This matter is also before the Court on Defendant's Response to Plaintiff's Status Report (#32) and Motion for Protective Order (#33).

In his status report, the Plaintiff informed the Court of his ongoing efforts to obtain new counsel and an expert witness to examine the device in question. Plaintiff is attempting to retain new counsel, but is currently proceeding pro se. The Plaintiff represents that he has found an expert willing to conduct the tests, and the expert will need sufficient time to conduct his examination of the device. Because of the difficulties of proceeding pro se, the Court finds that it is in the interests of justice to allow the Plaintiff sufficient time to retain this expert and allow the expert to examine the device in question.

The Defendants have filed a motion for a protective order to prevent the Plaintiff from conducting any potentially damaging or destructive non-visual tests on the device. The Court will grant the protective order, and instructs the parties to confer as to the proper protocol for conducting the tests. Should any non-visual tests eventually be required, the Defendants may have a representative present to observe and participate in any testing. Accordingly,

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IT IS HEREBY ORDERED that Plaintiff has until **March 13, 2015**, to retain an expert and have that expert conduct the necessary tests to produce an expert report. The Plaintiff shall provide a copy to the Defendants of that report.

IT IS FURTHER ORDERED that Defendant's Motion for a Protective Order (#33) is **granted**.

IT IS FURTHER ORDERED that the parties shall meet and confer to reach an agreement on the protocol for expert testing on the device.

IT IS FURTHER ORDERED that a telephonic status hearing shall be held on **February 19, 2015** at **10:30 a.m.** in **Courtroom 3A**. The parties are instructed to call telephone number: (702) 868-4910, access code 123456, five (5) minutes prior to the hearing time. Please remain on the line until such time as the Court joins the call and convenes the proceedings. The use of a cell phone or speaker phone during the call is prohibited. The call must be made using a land line. This hearing will be conducted in the courtroom and counsel may appear in person.

DATED this 5th day of February, 2015.

George Foley Jr.

GEORGE FOLEY, JR.
United States Magistrate Judge