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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEVIN PHILLIPS, an individual,)
)
 Plaintiff,)
)
 vs.)
)
 C.R. BARD, INC., a foreign corporation,)
 BARD PERIPHERAL VASCULAR,)
 INC.,)
)
 Defendants.)
 _____)

3:12-cv-00344-RCJ-WGC

ORDER

On January 6, 2014, Defendants C.R. Bard, Inc. and Bard Peripheral Vascular, Inc. (collectively, Bard) filed an Emergency Motion for Protective Order Regarding Notice of Deposition for John H. Weiland. (Doc. # 126.)

Plaintiff served a notice of deposition for Mr. Weiland on December 6, 2013, scheduling the deposition for January 13, 2014. (Lerner Aff. at Doc. # 126-1 ¶ 3; Notice of Deposition at Doc. # 126-2.) Mr. Weiland is the President and Chief Operating Officer of defendant C.R. Bard, Inc. (See Weiland Aff. at Doc. # 126-3 ¶ 4.) Bard’s counsel sent a letter objecting to the deposition on December 18, 2013. (Lerner Aff. at Doc. # 126-1 ¶ 5.) Bard’s counsel, Mr. Lener, met and conferred with Plaintiff’s counsel, Troy Brenes, by phone regarding the deposition notice of Mr. Weiland on December 19, 2013. (*Id.* ¶ 6.) Plaintiff would not agree to withdraw the deposition notice. (*Id.*) As a result, Bard filed the instant emergency motion because the matter cannot be resolved under the standard briefing schedule before the deposition is set to occur. (*Id.* ¶ 4.)

With good cause appearing, the deposition of Mr. Weiland, currently scheduled for

1 January 13, 2013, is **STAYED** pending the conclusion of briefing on Bard's emergency motion for
2 protective order and further order of this court. The court finds expedited briefing is appropriate and
3 sets the following briefing schedule with respect to Bard's emergency motion:

- 4 • Plaintiff's responsive brief must be filed on or before **January 17, 2014**.
- 5 • Bard's reply brief must be filed on or before **January 24, 2014**.

6 Once briefing is complete, the court, in its discretion, will either set the matter for hearing or
7 issue an order without conducting a hearing.

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9 **IT IS SO ORDERED.**

10 **DATED: January 7, 2014.**

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12 **WILLIAM G. COBB**
13 **UNITED STATES MAGISTRATE JUDGE**

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