

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIREPC Connection, Inc.

v.

Civil No. 10-cv-348-LM

Dayton CrabtreeO R D E R

The court denies defendant's motion to appear telephonically (Doc. No. 17), but will permit defendant to appear by video conference. Though defendant has not indicated that he wishes to testify, plaintiff has reserved the right to call defendant in its case in chief. (Doc. No. 18). Testimony by telephone would not allow the court to observe the defendant's demeanor and might impede plaintiff's ability to effectively cross-examine defendant. See Kiman v. New Hampshire Dept. of Corrections, 2008 WL 649128, \*4 (denying request for testimony by telephone but allowing testimony by video conference).

SO ORDERED.



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Landya B. McCafferty  
United States Magistrate Judge

Dated: October 4, 2010

cc: Anne E. Trevethick, Esq.  
Steven E. Grill, Esq.  
Dayton Crabtree, pro se