

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL VANCE,

Plaintiff,

v.

**NEW JERSEY STATE POLICE, et
al.**

Defendants.

Civ. No. 12-4006 (KM)

MEMORANDUM AND ORDER

MCNULTY, U.S.D.J.:

In analyzing the defendants' pending motion for summary judgment, I have considered the plaintiff's request to reopen discovery for the limited purpose of deposing Robert Best. Plaintiff has submitted a document which he claims establishes that Best changed his story as a result of police coercion. It appears that Best could not be found when discovery was conducted, but that he has been located. I believe that Best's testimony would be helpful to round out the picture on summary judgment, although I do not make a finding that it is critical. I therefore authorize the reopening of discovery for 40 days, for the limited purpose of permitting the plaintiff to notice and take a deposition of Best, if possible.

ORDER

IT IS THEREFORE ORDERED, this 23d day of February, 2016, as follows:

Discovery is reopened for the limited purpose of permitting the plaintiff, within 40 days, to notice and conduct a deposition of Robert Best. The

summary judgment motion (ECF no. 19; docketed as motion to dismiss complaint) is administratively terminated. It may be restored to the calendar, without refiling, by the filing of a simple notice. Any party may submit excerpts of any deposition of Mr. Best with a letter brief, not to exceed two pages, explaining the relevance.


HON. KEVIN MCNULTY, U.S.D.J.